

SENATE—Friday, February 2, 1968

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. John E. Huss, D.D., pastor, Charleston Heights Baptist Church, Charleston Heights, S.C., offered the following prayer:

Our Father in Heaven, innumerable hosts of us join our voices with the Psalmist of old when he prayed, "Out of the depths have I cried unto thee, O Lord"—Psalm 130: 1.

While we desperately seek enlightenment on questions which defy an answer, and seek for solutions to problems which seem insoluble, we feel that if we include Thee in our efforts, answers and solutions will be forthcoming. May we not in all our strength ever be too proud to seek divine guidance.

Almost three millenniums ago Thou didst speak to Solomon, the wisest man of his day, and set forth the conditions for man's welfare. Help us to heed Thy words: "If My people, which are called by My name, shall humble themselves, and pray, and seek My face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land"—II Chronicles 7: 14.

We pray in His dear name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, February 1, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 5910) to declare that the United States holds certain lands in trust for the Pawnee Indian Tribe of Oklahoma, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HALEY, Mr. EDMONDSON, Mr. TAYLOR, Mr. BERRY, and Mr. McCURE were appointed managers on the part of the House at the conference.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go

into executive session to consider the nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF STATE

The bill clerk read the nomination of Edward D. Re, of New York, to be an Assistant Secretary of State.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. ADVISORY COMMISSION ON INFORMATION

The bill clerk read the nominations of Palmer Hoyt, of Colorado, and Morris S. Novik, of New York, to be members of the U.S. Advisory Commission on Information.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, the Senate is about to vote on the confirmation of the nomination of Palmer Hoyt, of Colorado, for reappointment as a member of the U.S. Advisory Commission on Information.

I have known Mr. Hoyt for a good many years. I served with him on the board of directors of a large news-gathering organization. Palmer Hoyt is regarded as one of the ablest men in the newspaper profession. He is an editor of note. He is a newspaperman of the highest attainment.

I commend the President for the reappointment of Mr. Hoyt, and I strongly commend to the Senate Palmer Hoyt, of Denver, Colo., for reappointment as a member of the U.S. Advisory Commission on Information.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. RANDOLPH, from the Committee on Public Works:

Brig. Gen. C. Craig Cannon, U.S. Army, to be a member of the Mississippi River Commission.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, the Committee on Armed Services, and the Subcommittee on Executive Reorganization of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LAUSCHE:

S. 2916. A bill to amend the Federal Food, Drug, and Cosmetic Act, to prescribe penalties for possession of LSD and other hallucinogenic drugs by unauthorized persons; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. LAUSCHE when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (by request):

S. 2917. A bill to amend title 5, United States Code, "Government Organization and Employees", to authorize the Commissioner of the District of Columbia to place positions in the government of the District of Columbia in grades GS-16, GS-17, and GS-18, and with the approval of the President, other positions at levels IV and V of the executive schedule, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON (for himself and Mrs. SMITH) (by request):

S. 2918. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes; to the Committee on Aeronautical and Space Sciences.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT TO PRESCRIBE PENALTIES FOR POSSESSION OF LSD AND OTHER HALLUCINATORY DRUGS BY UNAUTHORIZED PERSONS

Mr. LAUSCHE. Mr. President, I introduce for appropriate reference, a bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinatory drugs by unauthorized persons.

While the present law provides that manufacture, sale, or other disposition of LSD without authorization is a violation of the Food, Drug, and Cosmetic Act, there is no Federal law penalizing one in possession—if such possession is for his own personal use or for use by a member of his family. All that Federal agents can do to the known user is to take the drug from him—thus leaving him free to obtain a fresh supply.

This proposed bill would prohibit possession of LSD "except pursuant to a

prescription by a duly-licensed practitioner." If one is found in violation, he may be fined \$1,000 for the first offense and for a second offense may be put into jail for 3 years and fined \$10,000.

Mr. President, LSD is a dangerous drug; indirectly it is sometimes even a killer and possibly a crippler of unborn babies. Medical evidence piling up is showing the adverse effects of using it, and prospective reports appear even more dismal.

It is also clear that the use of LSD is becoming more frequent, particularly among the young. Present legislation is not sufficient to deter those who are playing Russian roulette with a sugar cube. The problem needs a remedy quickly.

Those in possession of LSD are not only endangering their physical and emotional well-being but also are hurting society and maybe even future generations. They must be stopped.

If warnings, education, and other methods of reasoning had proven sufficient, perhaps such legislation would not be necessary. But, unfortunately, the rapid increase of users and abusers and the corresponding increase in harmful and tragic aftereffects show that other methods have failed. Therefore, I introduce this bill and urge its prompt consideration in order to protect our youth and our society from the needless and tragic consequences of "taking a trip."

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2916) to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons, introduced by Mr. LAUSCHE was received, read twice by its title and referred to the Committee on Labor and Public Welfare.

APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. ANDERSON. Mr. President, on behalf of myself, and the senior Senator from Maine, by request, I introduce for appropriate reference a bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes. I ask unanimous consent that the bill be printed in the RECORD together with a letter from the Administrator, National Aeronautics and Space Administration, requesting the proposed legislation and a sectional analysis of the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, letter, and sectional analysis of the bill will be printed in the RECORD.

The bill (S. 2918) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes; introduced by Mr. ANDERSON (for himself and Mrs. SMITH), by request, was received, read twice by its title, referred to the Committee on

Aeronautical and Space Sciences, and ordered to be printed in the RECORD, as follows:

S. 2918

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration:

(a) For "Research and development," for the following programs:

- (1) Apollo, \$2,038,800,000;
- (2) Apollo applications, \$439,600,000;
- (3) Advanced missions, \$5,000,000;
- (4) Physics and astronomy, \$141,900,000;
- (5) Lunar and planetary exploration, \$107,300,000;
- (6) Bioscience, \$48,500,000;
- (7) Space applications, \$112,200,000;
- (8) Launch vehicle procurement, \$128,300,000;
- (9) Sustaining university program, \$10,000,000;
- (10) Space vehicle systems, \$35,300,000;
- (11) Electronics systems, \$39,400,000;
- (12) Human factor systems, \$21,700,000;
- (13) Basic research, \$22,000,000;
- (14) Space power and electric propulsion systems, \$44,800,000;
- (15) Nuclear rockets, \$60,000,000;
- (16) Chemical propulsion, \$36,700,000;
- (17) Aeronautical vehicles, \$76,900,000;
- (18) Tracking and data acquisition, \$304,800,000;
- (19) Technology utilization, \$4,000,000.

(b) For "Construction of facilities," including land acquisitions, as follows:

- (1) Ames Research Center, Moffett Field, California, \$386,000;
- (2) John F. Kennedy Space Center, NASA, Kennedy Space Center, Florida, \$13,909,000;
- (3) Manned Spacecraft Center, Houston, Texas, \$3,100,000;
- (4) Michoud Assembly Facility, New Orleans and Sldell, Louisiana, \$400,000;
- (5) Wallops Station, Wallops Island, Virginia, \$500,000;
- (6) Various locations, \$23,705,000;
- (7) Facility planning and design not otherwise provided for, \$3,000,000.

(c) For "Administrative operations," \$648,200,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds \$250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construc-

tion of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed \$35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds \$100,000.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), and (6) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with \$10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (7) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate

Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Sec. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

Sec. 6. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1969."

The letter and analysis, presented by Mr. ANDERSON, are as follows:

NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION,

Washington, D.C., January 31, 1968.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Herewith submitted is a draft of a bill, "To authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes," together with a sectional analysis thereof. It is submitted to the President of the Senate pursuant to the Rule VII of the standing rules of the Senate.

Section 4 of the Act of June 15, 1959 (73 Stat. 73, 75), provides that no appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation. It is the purpose of the enclosed bill to provide such requisite authorization in the amounts and for the purposes recommended by the President in the Budget of the United States Government for the fiscal year ending June 30, 1969. The bill would authorize appropriations to be made to the National Aeronautics and Space Administration in the sum of \$4,370,400,000, as follows: (1) for "Research and development," \$3,677,200,000, (2) for "Construction of facilities," \$45,000,000, and (3) for "Administrative operations," \$648,200,000. The bill is identical to the National Aeronautics and Space Administration Authorization Act, 1968 (Public Law 90-67, 81 Stat. 168) except for the necessary changes in dollar amounts and the substantive and editorial changes hereinafter discussed.

An editorial change has been made in the introductory clause. Past years' NASA authorization acts contained language setting forth the total dollar amount authorized to be appropriated. Such language has been deleted from the draft bill, at the request of the Chairman of the Committee on Science and Astronautics of the House of Representatives.

Four changes have been made with respect to the "Research and development" program line items set forth in subsection 1(a). The first is the elimination of the "Voyager" line item, resulting from the decision not to pro-

ceed with this program at this time. The second change is the deletion, in the "Chemical propulsion" line item, of the requirement in the NASA Authorization Act, 1968, that \$3,000,000 authorized pursuant to such program line item "be used only for the large solid motor project." Thirdly, the "Aeronautics" line item has been changed to read "Aeronautical vehicles," to clarify that such program line item relates solely to research and development activities involving aeronautical vehicles; other research and development activities relating generally to "aeronautics," as that term is commonly understood, are included in various other program line items. The final change in subsection 1(a) concerns the "Sustaining university program" line item. At the request of the Chairman of the Subcommittee on Space Science and Applications of the House Committee on Science and Astronautics, the position of this line item has been changed, in the interest of jurisdictional clarity, to place it with the space science and applications line items (items (4) through (8)).

The "Construction of facilities" locational line items in subsection 1(b) differ from those enacted as part of the fiscal year 1968 Authorization Act only in that the locational line items for Goddard Space Flight Center, Jet Propulsion Laboratory, Lewis Research Center, and Nuclear Rocket Development Station have been omitted since no funds are being requested for those locations.

The numbers of the paragraphs of subsection 1(b) to which reference is made in Sections 2 and 3 have been changed due to the change in the number of locational line items included in subsection 1(b). No substantive changes are intended.

Section 6 of the NASA Authorization Act, 1968, which established an Aerospace Safety Advisory Panel has been omitted since under the language of that provision the existence of the Panel will continue indefinitely.

Finally, the last section of the draft bill, Section 6, has been changed to provide that the bill, upon enactment, may be cited as the "National Aeronautics and Space Administration Authorization Act, 1969," rather than "1968."

The National Aeronautics and Space Administration recommends that the enclosed draft bill be enacted. The Bureau of the Budget has advised that there is no objection to the presentation of the draft bill to the Congress and that its enactment would be in accordance with the program of the President.

Sincerely yours,

JAMES E. WEBB.

SECTIONAL ANALYSIS

(A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes)

SECTION 1

Subsections (a), (b), and (c) would authorize to be appropriated to the National Aeronautics and Space Administration funds, in the total amount of \$4,370,400,000, as follows: (a) for "Research and development," a total of 19 program line items aggregating the sum of \$3,677,200,000; (b) for "Construction of facilities," a total of 5 locational line items, together with one for various locations and one for facility planning and design, aggregating the sum of \$45,000,000; and, (c) for "Administrative operations," \$648,200,000.

Subsection 1(d) would authorize the use of appropriations for "Research and development" for: (i) items of a capital nature (other than the acquisition of land) required for the performance of research and development contracts; and, (ii) grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research,

for purchase or construction of additional research facilities. Title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution. Moreover, each such grant shall be made under such conditions as the Administrator shall find necessary to insure that the United States will receive therefrom benefit adequate to justify the making of that grant.

In either case no funds may be used for the construction of a facility the estimated cost of which, including collateral equipment, exceeds \$250,000 unless the Administrator notifies the Speaker of the House, the President of the Senate and the specified committees of the Congress of the nature, location, and estimated cost of such facility.

Subsection 1(e) would provide that, when so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) contracts for maintenance and operation of facilities and support services may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

Subsection 1(f) would authorize the use of not to exceed \$35,000 of "Administrative operations" appropriation funds for scientific consultations or extraordinary expenses, including representation and official entertainment expenses, upon the authority of the Administrator, whose determination shall be final and conclusive.

Subsection 1(g) would provide that no funds appropriated pursuant to subsection 1(c) for maintenance, repair, alteration and minor construction may be used to construct any new facility the estimated cost of which, including collateral equipment, exceeds \$100,000.

SECTION 2

Section 2 would authorize the 5% upward variation of any of the sums authorized for the "Construction of facilities" line items (other than facility planning and design) when, in the discretion of the Administrator, this is needed to meet unusual cost variations. However, the total cost of all work authorized under these line items may not exceed the total sum authorized for "Construction of facilities" under subsection 1(b), paragraphs (1) through (6).

SECTION 3

Section 3 would provide that not more 1/2 % of the funds appropriated for "Research and development" may be transferred to the "Construction of facilities" appropriation and, when so transferred, together with \$10,000,000 of the funds appropriated for "Construction of facilities," shall be available for the construction of facilities and land acquisition at any location if (1) the Administrator determines that such action is necessary because of changes in the space program or new scientific or engineering developments, and (2) that deferral of such action until the next authorization Act is enacted would be inconsistent with the interest of the Nation in aeronautical and space activities. However, no such funds may be obligated until 30 days have passed after the Administrator or his designee has transmitted to the Speaker of the House, the President of the Senate and the specified committees of Congress a written report containing a description of the project, its cost, and the reason why such project is necessary in the national interest, or each such committee before the expiration of such 30-day period has notified the Administrator that no objection to the proposed action will be made.

SECTION 4

Section 4 would provide that, notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences;

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by subsections 1(a) and 1(c); and,

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee, unless (A) a period of 30 days has passed after the receipt by the Speaker of the House, the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SECTION 5

Section 5 would express the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

SECTION 6

Section 6 would provide that the Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1969."

DISPOSAL OF PLATINUM FROM THE NATIONAL STOCKPILE—AMENDMENT

AMENDMENT NO. 521

Mr. WILLIAMS of Delaware submitted an amendment, intended to be proposed by him, to the bill (H.R. 5789) to authorize the disposal of platinum from the national stockpile and the supplemental stockpile, which was ordered to lie on the table and to be printed.

NOTICE OF HEARINGS

Mr. MONRONEY. Mr. President, I wish to announce that the Committee on Post Office and Civil Service has scheduled four public hearings during the month of February. All hearings will be held in room 6202 of the New Senate Office Building, beginning at 10 a.m.

Persons wishing to testify at any of these hearings may arrange to do so by contacting the committee, telephone 225-5451.

On Tuesday, February 6, we will hear testimony on the nomination by the President of Mr. Frederick E. Batrus to be Assistant Postmaster General, Bureau of Transportation and International Services. Mr. Batrus is a career employee within the Post Office Department and has served for several years as the Deputy Assistant Postmaster General.

On Wednesday, February 14, the full committee will hold hearings on S. 1997 and H.R. 7659, legislation to provide for a mid-decade census of population. S.

1997 is sponsored by Senator DANIEL B. BREWSTER, of Maryland.

On February 15 the Subcommittee on Civil Service will hold hearings on S. 555, a bill to extend to employees of local boards in the Selective Service System the rates of pay provided by the general schedule of the Classification Act. This legislation was also introduced by Senator BREWSTER.

On February 28 and 29 the full committee will hold hearings on the need for additional supergrade positions in the executive branch. There is no bill introduced on this subject, but legislation will be developed in committee if a need for additional positions is justified.

VETERANS' BENEFITS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a number of telegrams I have received from veterans' organizations, expressing support for the President's request of the House and Senate regarding new veterans' programs, be printed at this point in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

FORT LAUDERDALE, FLA.,
February 1, 1968.

Senator MIKE MANSFIELD,
Washington, D.C.:

County veterans service officers of the State of Florida concur with the President's request to the House and Senate regarding new veterans' programs.

THOMAS F. KEHOE,
President, County Service Officers Association of Florida.

ATLANTA, GA.,
February 1, 1968.

MIKE MANSFIELD,
Senate Majority Leader,
Senate Building,
Washington, D.C.:

Urges your complete support of all proposals contained in President Johnson's recent message to House and Senate on veterans' benefits. Being associated with the department which piloted the concept of veterans' assistance centers, I know personally of the great results obtained from such centers.

BRUCE B. DIGGS,
Service Officer, Department of Georgia,
Veterans of Foreign Wars of the United States, Counselor, Georgia State Department of Veterans' Service.

ATLANTA, GA.,
February 1, 1968.

Hon. MIKE MANSFIELD,
U.S. Senate, Washington D.C.:

President Johnson's January 30th special message to Congress was an important statement in behalf of veterans and servicemen. We are grateful for the present administration concerned for America's defenders of freedom. We earnestly solicit your support of the President's proposals to insure their congressional approval.

HUGH H. HOWELL, Jr.,
Chairman, Georgia State Board of Veterans Service.

STATESBORO, GA.,
February 1, 1968.

Hon. MIKE MANSFIELD,
Senate Majority Leader,
Senate Office Building, Washington, D.C.:

On behalf of Georgia's more than forty thousand American legionnaires we wish to

respectfully request that you use all of your influence and wisdom in implementing all of the provisions contained in President Johnson's message to Congress of January thirtieth on "America's Servicemen and Veterans". We especially endorse the "one stop center" as we know this type service affords excellent guidance and counselling to the veteran as the Georgia State Department of Veterans' Service under the director of Mr. Pete Wheeler has held one day sessions in several Georgia cities since the onset of the Vietnam conflict offering exactly the same services as outlined in the President's message. All of the various veterans organizations participated and assisted in these operations. The first of these was held in Columbus, Georgia, shortly after the 1st Cavalry Division was sent to Vietnam. All of these one-stop service programs were highly successful, reaching thousands of eligible veterans and their dependents, even though lasting only one day. Your continued great interest and concern for the welfare of our veterans and servicemen has not gone unnoticed and is greatly appreciated.

BEN B. HODGES,
Accredited Representative and Vice Chairman, Rehabilitation Committee, the American Legion Department of Georgia, Statesboro, Ga.

TIFTON, GA.,
February 1, 1968.

Senator MIKE MANSFIELD,
Majority Leader,
U.S. Senate,
Washington, D.C.:

On behalf of Georgia American Legionnaires, I respectfully urge your support and influence in securing congressional approval of President Johnson's recommendations in his 1-30-68 message on America's returning servicemen.

A. V. AKIN, Jr.,
Accredited Representative, Chairman Georgia Rehabilitation Committee, the American Legion.

BOSTON, MASS.,
February 1, 1968.

Senator MIKE MANSFIELD,
Senate Office Building,
Washington, D.C.:

The department of Massachusetts Amvets wholeheartedly support the President's special message of veterans and urge your favorable consideration for legislation to implement his request.

FRANCIS E. COOK,
Department Commander.

THE "PUEBLO" INCIDENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an article by James Reston which appeared in the Great Falls, Mont., Tribune of January 30, 1968, entitled "Pueblo Incident and Vietnam Lesson," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PUEBLO INCIDENT AND VIETNAM LESSON
(By James Reston)

WASHINGTON.—In the Arab-Israeli war and the latest international crisis in North Korea, President Johnson has shown that he has learned something from the tragedy of Vietnam. He has listened carefully to the arguments for and against military intervention in North Korea and restricted himself to cautious defensive measures.

The lesson of Vietnam is that it is easier to get involved in wars than to get out of them. Sudden military action, even if limited to retaliation for some provocation, can

quickly lead to counter-measures and soon involve the prestige and power of the nation.

This is what happened when the President reacted to the North Vietnamese attack on our destroyers in the Gulf of Tonkin by bombing North Vietnam, and there were officials here who wanted to take similar action to punish the North Koreans for capturing the USS Pueblo.

This could, however, have quickly reopened the war along the 38th parallel in Korea, and confronted us with a two-front conflict at a time when we are already over-extended. In fact, this may have been precisely what the Communists wanted. So the President waited, turned to U.N., and called up some air and naval reserves—just enough to fill some of the gaps in the under-strength units weakened by the drain in Vietnam, but not enough to alarm the world.

He could have ordered the bombers off the Enterprise and hit North Korea for its capture of the Pueblo. Public opinion would undoubtedly have backed him, for the North Korean provocation, unlike the complicated tangle of Vietnam, is simply a humiliation which everybody understands and resents, but this would not have gotten the 83 crew members back, and might have started a second war, which nobody needs in the present circumstances.

No doubt there are North Korean vessels on the high seas which the U.S. Navy can intercept and hold until this senseless incident is settled. Apparently the Russians have understood the possibility of retaliation for their own spy ships, innocently characterized as trawlers, are reported to have vanished in the last few days from their normal cruising lanes near the coastal United States.

Nevertheless, the Pueblo incident, even if it is settled without military action, is instructive. For it shows just how much of our effective military strength is now tied down in Vietnam, and how vulnerable we are under present policies to new diversionary attacks on areas we are committed to defend.

The gap between our commitments and our power to meet those commitments could be very great, very quickly, if the Communists were to stir up trouble through Communist guerrillas in Korea, Taiwan, Laos, Thailand, Iran or the Near East, or in any one of two of these places at the same time.

Even by creating military incidents, the Communists can influence the internal policies of the United States, and divert to war more and more funds which are needed for the reconstruction and civil order of our cities.

President Johnson's problem was to take strong diplomatic action and prudent military defense measures, without being dragged into any impetuous moves which would put intolerable strains on an already over-extended military establishment abroad and financial structure at home.

So far he has kept the balance fairly well on the Pueblo affair. But the larger balance between his worldwide commitments and his power is still uneven, or can quickly be made so by even limited moves by Communist forces anywhere in the great arc from the Sea of Japan to the Mediterranean.

Yet in this situation, many in the Congress who oppose the President's supplementary war tax are at the same time the loudest howlers for a harder war in Vietnam and military retaliation in Korea.

Fortunately, the President has not fallen this time for the tactical move of acting first and thinking of the consequences later. He has measured his words and his action in a very difficult situation. He deserves the unity and support on Korea he has requested.

LATIN AMERICAN FILM SERIES

Mr. ELLENDER. Mr. President, in the winter of 1966, on behalf of the Senate

Appropriations Committee, I toured all of the countries of Latin America to inspect U.S. operations to the south of us. While on my tour, I took color movies of the life and peoples of every country I visited, and upon my return this footage was used to produce three documentary films on the industry, agriculture, and Latin American life in general.

This film was subsequently shown over WETA television here in Washington on December 6, and I received many favorable comments from those who saw it. WETA—channel 26—is an educational television station, and the station is now cooperating with the Language Americas Association, Inc., a nonprofit organization, and with several Latin American embassies in the telecasting of several additional films dealing with individual countries in Latin America.

The purpose of the films I produced was to assist in bringing the peoples of the United States and Latin America closer together, so that we can more fully understand and appreciate the ways of life of South America. This is the aim of the cooperative effort now underway with the series scheduled for showing over WETA-TV. The time of the showings will be 6:30 p.m. each Saturday. The film titles and dates are:

February 3, Brazil: "Cities of Yesterday and Tomorrow";

February 10, Colombia: "Colombia, Giant to the South";

February 17, Panama: "The Panama Canal"; and

February 24, Mexico: "The Road of Independence" and Venezuela: "Caracas, City of Eternal Spring."

I commend these programs to all who might be interested.

THE PHILADELPHIA INQUIRER AND VIETNAM

Mr. CLARK. Mr. President, the Philadelphia Inquirer is one of the great newspapers in America, and one of its claims to greatness is due to the wide variety of political and social views of its many able reporters. The encyclopedic nature of this paper's reporting is well evidenced by three commentaries which appear in this morning's issue.

The first is a column which appears on the editorial page under the byline of Mr. John M. Cummings, entitled "Facing Two Ways for Sake of Votes." I ask unanimous consent to have this column printed at this point in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

FACING TWO WAYS FOR SAKE OF VOTES (By John M. Cummings)

Sen. Joe Clark, talkative again after a brief period of silence, belongs in the group of faint-hearted men devoid of belief in this country's ability to win a military victory in Vietnam. The Japanese, after winning an advantage in their sneak attacks on Pearl Harbor, learned a lesson in the might of this Nation. The Kaiser's Germany and later Hitler's Germany came to the same conclusion.

Faint heart ne'er won fair lady. Nor did it ever win a war. Senator Clark, as reported in this spot on a previous occasion, is trying to carry water on both shoulders. For Presi-

dent in this year of the ballot he is supporting the incumbent, Lyndon Baines Johnson, although the President is not one of the group of faint-hearted men. So far as the war is concerned, he is of the stout-hearted variety.

The first candidate in the field for the Democratic Presidential nomination, Sen. Eugene J. McCarthy, of Minnesota, marches side by side with Clark when it comes to disagreement with the President on the conduct of the war.

Clark is among the odd balls of the country who support the President but who violently disagrees with his war policy. Party politics has taken the place of love of country.

In his first outbreak since his return from Vietnam, Clark says that while in that war-ravaged country he talked to a number of American soldiers, officers and men in the ranks, who shared the belief a military victory is beyond reach.

In the Second World War Clark served in the China-Burma-India theater of operations and from all accounts, acquitted himself creditably. He was an officer at that stage of his career. One wonders, then, how he lost faith in the arms of his country in the intervening years?

During his recent brief visit to Vietnam he talked not only to the fighting men, but to civilians. Whether these were American civilians, in search of an honest dollar, or Vietnamese who weren't so particular, was not related in his Washington interview. All these agreed with him that a military victory was beyond reach.

It is surprising, not to say confusing to most citizens, as they behold the number of civilians and public officials who go to Vietnam and come back loaded with more information than General Westmoreland, the commander in chief, has been able to accumulate.

So far as is known, Clark had not talked with the man in charge during his brief stay in Vietnam. Relying on reports from his subordinate officers in the field, General Westmoreland believes a military victory is not only possible, but is closer than the faint hearts dream.

In an election year, such as the one we are now in, it is customary for the slick politician to appeal for votes on any sort of basis, including ethnic and religious.

Larry O'Brien, Postmaster General and Johnson political strategist, in outlining the President's campaign procedure the other day, said he would neither condemn nor assail his Republican opponents, but ask them to lay on the line their cure for war in Vietnam.

The President, of course, need not stray from his own Democratic Party in putting out an ultimatum of this sort. The Clarks and the Fulbrights, the latter being chairman of the Foreign Relations Committee, are more deeply critical of the Vietnam war than a dozen Senators of the Republican party. These are the natural enemies of Mr. Johnson in a Presidential year.

Mr. CLARK. This column consists largely of an attack on me. This is not unusual, since Mr. Cummings has been tending this particular vineyard for the last 20 years.

I am very fond of old John Cummings. He is a fine old man. To be sure, he has not been well pleased with national politics since the assassination of the late President William McKinley. He has been disturbed about State politics in Pennsylvania since the election of George Earle as the first Democratic Governor of that State, in 1934. He has never been happy about Philadelphia politics since Dick Dilworth was elected district attorney and I was elected mayor, in 1951. So

one need not be surprised that he is taking out after me in this column.

I should like to point out an inaccuracy which occurs in the column, in that he states that during my recent trip to Vietnam, I did not undertake to confer with Gen. William Westmoreland. This is inaccurate, since I spent perhaps 2 hours with General Westmoreland and had a most illuminating and interesting conversation with him during the course of my visit.

I should add, however, that while Mr. Cummings undertakes to comment quite frequently on our policy and conditions in Vietnam, he has never been there.

There is another very able reporter on the Philadelphia Inquirer named Joe McGinniss, a shrewd, able, and aggressive young man, who recently returned from South Vietnam, having written a series of very brilliant articles on what he found while he was there.

In the Philadelphia Inquirer this morning, in a column entitled "The Passing Scene," he headlines his comments, "VC Message Can't Be Missed."

Mr. President, I ask unanimous consent to have printed in the RECORD the column written by Joe McGinniss.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

VC MESSAGE CAN'T BE MISSED

(By Joe McGinniss)

I remember a night in Pleiku. The first of those nameless hill battles around Dak To had ended and everybody wanted to leave at once, to return to Saigon and write. Helicopter space was scarce, however, because casualties were taken out first, and some of us got to Pleiku too late for the last plane to Saigon. We had to spend the night.

We went to the bar they run there for the press and ate ham sandwiches and drank Ballantine beer from rusty cans and watched a 4-week-old pro football game on TV.

The captain in charge, a friendly man with a mustache, was explaining some things about Pleiku to a couple of the newer correspondents.

"What about security?" one of them asked, eventually. "How safe is it here?" "Here?" The captain smiled. "Why, this is probably the safest place in Vietnam. Haven't heard anything more than a jeep backfire for the past six months."

A little later we went to bed in an MP barracks. We were there five minutes, no more, when a siren began to blow and men in their underwear raced up and down the aisle.

"Get to the bunker! Get to the bunker! Mortar attack!"

Well, it was not much. Two rockets, neither of which landed anywhere near us, but it made a point I did not forget.

Now, as I read, hardly believing, of what has been happening in Vietnam this week, it seems more relevant than ever.

The point is: Nothing in Vietnam is quite as good as it seems to be.

You see all our planes and tanks and fine young soldiers and you are told day after day after day how we really are winning, how the VC are starving to death, how their morale is shattered, how they cannot recruit, how the people are on our side now, and—despite a natural skepticism toward official pronouncements and a strange fear that in the end what the generals mean by victory would not be good either for the Vietnamese or us—you find yourself believing it.

Then the VC attack our embassy and get inside the grounds and the lies and the false predictions are exposed.

In a sense, even more shocking is what they did in the rest of the country. Hitting 21 provincial capitals at once. Actually taking temporary control of places like Hue and Kontum.

These are just names unless you have been there or read a lot, but they are not the sort of places the VC is supposed to get near. Hue, for example, with its size and status as an ancient capital, holds a position among Vietnamese cities not unlike that which Philadelphia holds in the United States.

It is incredible. No one in Vietnam, not even the most embittered and cynical of critics, was even dreaming of anything like this in December. It simply could not happen. We were too strong. They were too weak.

When the possibility of terrorism in Saigon over the holidays was discussed, it was in terms of bombs in movies theaters or hand grenades tossed into cafes.

Instead, we have snipers firing at William Westmoreland's window.

The week's events have a lot of meaning and none of it is good for the Johnson-Rusk-Westmoreland cause.

All last year the main thrust of American movement in Vietnam was toward giving the people confidence in the new Government in Saigon. But confidence could flower only from security. The first job, the big job, all last year, was to prove to the people that they no longer had to fear the VC. The Americans, they were told, would protect them, and when the Americans were no longer there, the VC would not be, either.

In some small ways, it seemed to be starting to work. There were so many troops everywhere that, except for the Delta region they have controlled for a generation, the VC could not find a solid base.

When they came they could not stay long, and there were more and more places to which they could not come at all. People were starting to feel safe. They were beginning to believe that maybe what Saigon said was true.

All that, of course, has been lost in the past four days. The VC, with their attacks, may have done the one thing they needed to do—they may have destroyed the people's faith in the Government's ability to protect them.

How can a man in a hamlet feel safe when he learns that the Americans, in their embassy, were not? And the VC, by spreading their assault through the entire country, have made sure that no one missed the message.

They have done a few other things, too, like forcing a suspension of the new Constitution, of which everyone was so proud, and showing up as overconfident fools the American military men who said they were falling apart. But what they have done most of all, and what we might need years to overcome, if, indeed, we can at all, is show the people that the Americans, and the "American Vietnamese" for all their money and power, cannot give a man safety in his home.

If I had lived in a village in Vietnam, I would surely think twice, after this week, about telling the VC to go away.

Mr. CLARK. Mr. President, Mr. McGinniss states in part, with respect to the VC raids, that the VC, whom he deplores as much as I do, have done a number of things, including:

*** forcing a suspension of the new Constitution, of which everyone was so proud, and showing up as overconfident fools the American military men who said they were falling apart. But what they have done most of all, and what we might need years to overcome, if, indeed, we can at all, is show the people that the Americans, and the "American Vietnamese" for all their money and power, cannot give a man safety in his home.

If I had lived in a village in Vietnam, I would surely think twice, after this week, about telling the VC to go away.

Mr. President, a third very able, young, and effective reporter for the Philadelphia Inquirer is Mr. Joseph C. Goulden, who covers Capitol Hill and the White House for that fine newspaper. A column entitled "Foe's Hit-Run Raids Are Hard To Counter," written by him under his byline "Washington Background," was published in this morning's Philadelphia Inquirer. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

FOE'S HIT-RUN RAIDS ARE HARD TO COUNTER (By Joseph C. Goulden)

WASHINGTON.—"I am reminded of a story (of) the first time an Indian saw a candidate for public office. The candidate was making a great oratorical effort, and after he was finished, someone asked the Indian, 'What happened?' The Indian said, 'Well, white man make much thunder, much wind, no rain.'"—Sen. Russell B. Long's appraisal of the U.N. handling of the Pueblo seizure crisis.

The cynics' quip this week is whether Saigon can be classified as a "pacified hamlet" under standards U.S. officials there apply to the rest of the country. One criteria is the ability of Americans to spend the night in a village without being fired upon; since American paratroopers had to storm the American Embassy to evict the Vietcong suicide squad, and since Ambassador Ellsworth Bunker had to be whisked away from his home to a hiding place, Saigon doesn't exactly deserve a "secure" rating.

Military officials here are disturbed but not really surprised about the intrusion, and at the nearly simultaneous rocket and mortar barrages at U.S. bases elsewhere in the country.

One man with stars on his shoulders said of the embassy raid: "Give me 31 men who are willing to die and I'll dent almost any building you name, even the CIA headquarters out in Langley. But you've got to ask whether 31 dead bodies are worth the propaganda you get out of it."

"It's the old 'flying wedge' you used to find in college football. Hit any object hard enough, and it will yield. So what did it gain? Momentary possession of an embassy reception room at 2 o'clock in the morning, and the headlines—and 31 men dead."

The rocket raids, while not suicide missions, are every bit as hard to counter. The Vietcong use Soviet-made launchers that can be dragged through the brush to within six miles of the perimeter of an air base. One man carries the launcher, which is about as complex as a five-foot length of drain pipe; his companion carries a sackful of projectiles.

They get their bearings from visual sightings of a mountain peak or tall tree, elevate the launcher to a predetermined degree, and start dropping projectiles. Three shots and a cloud of dust later, they're gone—vanished into the brush again before the U.S. helicopters arrive. The launcher is cheap enough to be abandoned.

The only antidote for such attacks is active patrolling of base perimeters; given the area contained in a six-mile-deep arc, finding a two-man rocket team is happenstance. So the Air Force learns to park its planes farther apart, to prevent chain-reaction explosions, and people sleep in bunkers at night.

That the attacks will give the U.S. second thoughts about stripping men from southern bases for the impending Khe Sanh battle is accepted; that the U.S. just possibly will find itself short of troops at Khe Sanh is also

prompting interesting conversational theorization at the Pentagon, to wit:

—Suppose two weeks hence the North Vietnamese encircle Khe Sanh with their 35,000 to 40,000 regulars, and bad weather prevents the U.S. from using its air power.

—Suppose that U.S. intelligence confirms that Vietnamese civilians have fled the area, as they are believed to have done since the heavy B-52 raids began.

—Suppose the Korean crisis continues, and precludes President Johnson from dispatching further military strength to South Vietnam.

In such a situation, what would the Presidential decision be if the Joint Chiefs of Staff told him that only tactical nuclear weapons could save Khe Sanh from being overrun?

That even such a question is being asked at the middle-echelons of the Pentagon is indicative of military frustrations both in South Vietnam and in North Korea—whispers about the previously-unthinkable.

Mr. CLARK. Mr. President, Mr. Goulden takes the same position that so many knowledgeable people are taking about the international impact and the impact on the United States of the present unfortunate happenings in Vietnam. I would hope very much that Mr. Cummings, who by seniority is entitled to take the position he takes, would invite Mr. Goulden and Mr. McGinniss to his office in order to have them straighten him out on what is going on in Vietnam.

CAUTION URGED IN PURCHASE OF TURNPIKES BY FEDERAL GOVERNMENT

Mr. LAUSCHE. Mr. President, there have been legislative proposals of late that the Federal Government buy the toll turnpikes of a number of States in the Nation. At first sight, the suggestion seems to be highly acceptable. It is suggested, for instance, in connection with the Ohio Turnpike, which cost \$325 million to build, and which had an indebtedness of \$253 million as of December 31, 1966, that the Federal Government ought to buy the turnpike and pay off the debt, providing the highway fitted into the Interstate Highway System.

Bills have been introduced in the House of Representatives and in the Senate, calling upon the Federal Government to buy such turnpikes. The bills thus far introduced deal supposedly with separate States. When a calculation is made of the cost, if the turnpikes of one State were to be bought, on its face that would seem to be highly feasible and negligible in cost.

The Department of Transportation has prepared a tabulation of the turnpikes now in operation and which ultimately, if any one turnpike is bought, would require the buying of all of them.

Mr. President, the query is: How much is the total indebtedness of the several States for the turnpikes which are in existence? I pause so that Senators may ponder that question for a moment. I notice that the chairman of the Senate has put up five fingers. It is \$4 billion. The proposal would load the Federal Government down with this added huge obligation of \$4 billion for toll turnpikes alone. In Ohio the turnpike is operating, and no one is complaining about the paying of the tolls. The present remain-

ing debt of the Ohio Turnpike will be paid off 15 years ahead of the time estimated by the financial advisers at the time the financial and engineering feasibility study was made.

The building of highways will have to be expanded in the next 15 or 20 years. The future will require the building of more toll roads in addition to those that are now built through excise taxes.

Exploring the subject further, if the Federal Government buys the turnpikes, how will we escape buying the toll bridges?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, I do not know how much money would be involved if the Federal Government, after it bought the turnpikes, proceeded to buy the toll bridges.

It is my suggestion that we look upon this new proposed program cautiously, knowing of the serious status of our financial problems federally. The cost of the proposal would be \$4 billion, which would be \$4 billion added to the public debt, and to the tax burden. The financial difficulties of the Federal Government have required now a curtailment in the amount of \$600,000,000 in the Federal highway program. If we buy the toll roads and the toll bridges it will, for a time, devastate the financial ability to build the needed future highways of our country.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Turnpike Doing OK" and a tabulation entitled "Toll Roads on the Interstate System."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TURNPIKE DOING OK

We cannot agree with Rep. Charles A. Vanik that the federal government should pay Ohio the \$343 million it cost to build the Ohio Turnpike.

Turnpike financing is well in hand. Toll revenues are exceeding expectations and the debt is expected to be retired sometime in 1979, 13 years ahead of schedule. Judging from the great use motorists and truckers make of the turnpike, they don't begrudge the tolls, figuring the savings in time and trouble are worth the fees.

Paying Ohio for turnpike construction costs would open the door for reimbursement of turnpikes everywhere, and the federal highway trust fund would be depleted.

There is some merit in considering the West Virginia Turnpike a special case. The House Public Works Committee has recommended that West Virginia be paid \$81 million for its pike and that it be made a toll-free part of the interstate system.

But West Virginia's pike is only two-lane and isn't generating the revenues to pay its own way. If it is to be part of the interstate system, two more lanes will have to be added, or a parallel two-lane roadway built, and the federal government obviously will have to participate heavily in the cost.

That would still leave an inequity, with motorists heading in one direction paying tolls, and in the opposite direction not paying them. In this circumstance, it seems fair that the federal government pick up the tab for the entire road.

TOLL ROADS ON THE INTERSTATE SYSTEM

[Dollar amounts in thousands]

Toll road	Total mileage	Mileage on Interstate System	Outstanding indebtedness as of Dec. 31, 1966
Connecticut Turnpike	126.5	86.7	\$443,610
John F. Kennedy Memorial Highway (Delaware)	11.9	11.9	29,395
Sunshine State Parkway (Florida)	268.6	43.1	153,526
Northwest Tollway (Illinois)	76.3	66.3	
Tri-State Tollway (Illinois)	81.2	81.2	1,422,228
Indiana Turnpike	156.9	156.9	250,096
Kansas Turnpike	236.7	187.0	192,749
Kentucky Turnpike	40.0	40.0	27,721
Maine Turnpike	116.5	62.3	71,707
John F. Kennedy Memorial Highway (Maryland)	42.2	42.2	72,468
Massachusetts Turnpike	136.4	132.8	437,337
New Hampshire Turnpike	14.0	14.0	3,550
F. E. Everett Turnpike (New Hampshire)	39.7	14.2	14,885
New Jersey Turnpike	134.0	38.9	480,038
Thomas E. Dewey Thruway (New York)	557.2	522.6	897,800
Ohio Turnpike	241.0	205.9	253,771
Turner Turnpike (Oklahoma)	86.1	86.1	22,775
Will Rogers Turnpike (Oklahoma)	87.9	87.9	61,679
Pennsylvania Turnpike	470.8	357.6	340,600
Richmond-Petersburg Turnpike (Virginia)	34.7	34.7	67,193
West Virginia Turnpike	87.4	87.4	133,000

¹ Includes bonds issued to construct 26.8 miles of East-West Toll Road.

² These bonds were refunded as a part of a \$186,000,000 issue sold in December 1966 and the Turner Turnpike was incorporated into the Oklahoma Turnpike System.

ORDER OF BUSINESS

Mr. ELLENDER. Mr. President, since no other Senators seek to be recognized during the morning hour, I ask unanimous consent that I may proceed for 8 to 10 minutes, so that I may complete my statement.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Louisiana is recognized.

THE 20TH ANNIVERSARY OF CEYLON'S INDEPENDENCE

Mr. ELLENDER. Mr. President, Sunday, February 4, 1968, will mark the 20th anniversary of the independence of Ceylon, one of the most advanced and progressive countries in all continental Asia. Last fall I spent part of November and almost all of December inspecting our U.S. operations in South Asia on behalf

of the Senate Appropriations Committee. I was scheduled to spend about 2 days on the island of Ceylon, but airplane trouble delayed my departure for over 15 hours. I can truthfully say that I can think of no other area where such a delay would have been as welcome to me.

During my visit to the capital city of Colombo and on motor trips throughout the countryside, I was most courteously and warmly received and I was able to observe much of the agricultural and industrial activity carried on there.

This island nation off the tip of India is one of the most stable parliamentary democracies in that part of the world. Regular elections, without interruption, date back to 1931, based on universal adult suffrage. Although I did not have the opportunity to study the island's governmental structure, I was told that the rule of law is firmly entrenched and that there is an active opposition party in the Parliament and that the local press is free of undue government regulation.

Under this stability and freedom, the people of Ceylon are making progress toward curbing the ills that affect so much of Asia and, indeed, so much of the world. For example, among the more than 10 million people on the island, the literacy rate is 70 percent. Great efforts have been made to spread education throughout the island and I am confident that this will continue. Already the literacy rate is higher than any other country in Asia, with the exception of Japan. Strong efforts are also being made to increase the medical facilities of the nation and to curb disease. Because of this work, the infant mortality rate of the island is steeply declining and each year brings to these infants a longer life expectancy.

This brings us to one of the most serious problems confronting the government, that of the high rate of population growth, coupled with the fact that very little new land can be brought into cultivation. Because of the population increase, which has been at about 2.8 percent in previous years, the government is having to press forward with family planning. One-third of the food needed to support the population is now being imported and since the land area is limited, more and more imports will become necessary in the future. The government is moving ahead to close this gap and I express the hope that success will follow in controlling the population expansion.

As I indicated, during my stay on the island, I noted many signs of progress. New apartment buildings have been constructed in Colombo, the capital, and I visited sawmills, tea, rubber and coconut processing plants, farming areas and agricultural research stations which were thriving.

I learned, however, that the economic picture of Ceylon is not all on the bright side and that there are dark clouds on the horizon. The government was forced to devalue the nation's currency after Britain took a similar step. In the case of Ceylon, the devaluation was by a much greater percentage. A lack of funds has also forced cuts in social welfare

expenditures. I think it noteworthy that these reductions have been made in the interest of Ceylon's long-term development operations, for certainly there was no political gain attached to them.

On the bright side of the picture, the Government is pressing forward with plans for increasing agricultural production. Ceylon's rice harvest last year was an alltime record high and intense efforts are being made to increase seed quality, the use of fertilizer, and to expand storage facilities. I can give personal testimony to the success of this program for I spent a good deal of time in the countryside and viewed with interest the extensive areas under rice cultivation. As chairman of the Senate Committee on Agriculture and Forestry and as a native of south Louisiana, this is a subject I know something about and I was most impressed. I visited the Central Agricultural Research Institute at Gan-noruwa, as well as the Veterinary Research Institute also located there. I toured these facilities and even took advantage of the occasion to participate in a research seminar which was in progress when I arrived. I hope that those at the research center learned as much from my brief remarks as I learned during my visit with them.

The program aimed at increasing agricultural production is not entirely government oriented. Efforts are also being made to attract private capital to agricultural investment. As a matter of fact, I am informed that a large part of the capital budget expenditures have been and will be directed to programs to increase production in the private sector.

As in almost all of the less developed countries, Ceylon's economic difficulties stem from the problems affecting traditional exports of raw materials—in this case, tea, rubber, and coconuts. Ceylon is the world's leading exporter of tea and ranks fourth in the export of rubber. Steep fluctuations in the prices of these products means that Ceylon relies to some extent on foreign assistance and foreign investment to finance her economic development. I might add at this point that at present the United States has no aid program in Ceylon, although the Peace Corps was setting up a modest operation when I was there in December. From my experiences there I can willingly recommend a program of commercial loans, however. From my conversations with the people and officials, I believe that this is what is most desired from their point of view.

I am told that the climate for foreign investment in Ceylon is much better than it has ever been before and that there has been an increase in the number of applications received from U.S. firms desiring to invest in Ceylon.

I hope this trend continues and, in my estimation, there is no reason that it should not continue. This is especially true in the field of tourism. With proper guidance, the tourist industry could be greatly expanded. This small island could be turned into a veritable dream world. It has virtually everything to be desired. The climate is excellent the year round, particularly in the south-central part where some of the beautiful mountains

tower 8,000 feet above the sea. With improved roads, all parts of the island could become easily accessible, but already most of the points of interest are near a railroad. A combination of bus and rail transportation would make it possible for an energetic and flourishing tourist industry to bring much wealth to the island.

In conclusion, the Ceylonese people are most intelligent and their leaders seem to know the problems confronting their country. More important, the leaders seem to be willing to do something about them. The Ceylonese are to be commended on the progress and stability that has prevailed during their first 20 years as a free and independent nation. I believe that this progress will continue to increase in the years ahead. I would like to extend the congratulations of the U.S. Congress and the American people to the people of Ceylon on this important anniversary. I would like also to extend once again my deep appreciation to the Government and officials of Ceylon for the hospitality extended to me on my recent visit and to their able representative in this country, Ambassador Oliver Weerasinghe, for his efforts on my behalf and for his efforts in bringing the peoples of Ceylon and the United States of America closer together.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. I join the distinguished senior Senator from Louisiana in extending congratulations to the Government of Ceylon on the forthcoming 20th anniversary of its independence.

I agree with what the distinguished Senator has said. I am very much aware of the economic difficulties which confront that country at this time because of the depressed prices in tea and rubber. Nevertheless, they are trying, under their outstanding Prime Minister and his government, to achieve all they possibly can. On the basis of their own initiative, they have been doing a remarkably good and efficient job. I am delighted that the Senator has seen fit on this occasion to express the sentiments of the Senate and the Congress to the Ceylonese Government which is performing so well under extremely difficult circumstances.

The Senator from Louisiana is chairman of the Senate Committee on Agriculture and Forestry, and he is aware of the fact that in Ceylon the rice problem has been a source of friction for a long time, in part because of subsidization. That has been one of the difficulties the Prime Minister has had to contend with. But it is my understanding that he is meeting and overcoming it and that, as a result, rice production is increasing, even though government subsidization is decreasing.

We are extremely fortunate in having as our Ambassador to Ceylon and the Maldive Islands, the Honorable Andrew V. Corry, of Montana, a graduate of the Montana School of Mines, a graduate of Oxford and of Harvard, a fellow member with me of the faculty at the University of Montana in the 1930's, and a man who has served his

country extremely well in an ambassadorial capacity in Ceylon, where he is presently located, and at his previous post in Sierra Leone.

I know, on the basis of word I have received from Ambassador Corry, that he was delighted and pleased with the visit of the senior Senator from Louisiana. He told me in his communication that he felt a great deal of good had been accomplished because of the Senator's visit and that out of it has come a better understanding between our two countries.

Again I commend the Senator for marking this anniversary. I congratulate the Government and the people of Ceylon on the 20th anniversary of their independence, and wish them all Godspeed and good luck in the future.

Mr. ELLENDER. I wish to thank the distinguished Senator from Montana. I thoroughly agree with him in the remarks he has made about Ambassador Corry. He is a very able, conscientious, and hard-working man. I do not know of any better representation we could send to Ceylon than to have Mr. Corry there as our Ambassador.

I thoroughly enjoyed my visit with Ambassador Corry, and it pleases me to hear the Senator say that the feeling is reciprocated on the part of our able representative. The Ambassador is well informed; he is a credit to the State of Montana, and I know that both nations will benefit by his presence in Ceylon.

THE NEW KOREAN CRISIS

Mr. BYRD of West Virginia. Mr. President, I invite attention to an editorial which appeared in the January 29 issue of the *Martinsburg, W. Va., Journal*. The editorial is entitled "The New Korean Crisis." I read as follows from the editorial:

As this was written the true facts surrounding the seizure of an American intelligence gathering ship by North Korean patrol boats were not known.

Numerous unanswered questions popped up as a result of this incident and probably it shall take days, months or years to have them all properly answered. And again maybe we shall never know all of the true circumstances surrounding this crisis.

The editor, Mr. Paul Martin, goes on to raise certain questions about the seizure of the *Pueblo*, and then proceeds with the following paragraph:

All of these questions point up how difficult it is for the average American to properly assess a situation such as the seizure of a U.S. ship in the waters of the Sea of Japan. While such an act may provoke a most serious crisis including another war, we do not know the full facts which brought on the incident. It is best under the circumstances that we remain calm and take no rash action.

Mr. President, I wish to express my support of the thought which is well presented in the last sentence which I have just read, to wit:

It is best under the circumstances that we remain calm and take no rash action.

I ask unanimous consent that the editorial be printed in the *RECORD*.

There being no objection, the editorial

was ordered to be printed in the *RECORD*, as follows:

THE NEW KOREAN CRISIS

As this was written the true facts surrounding the seizure of an American intelligence gathering ship by North Korean patrol boats were not known.

Numerous unanswered questions popped up as a result of this incident and probably it shall take days, months or years to have them all properly answered. And again maybe we shall never know all of the true circumstances surrounding this crisis. Even at this late date there is serious questioning in this country over the Gulf of Tonkin attack in August 1964 which propelled the United States into a full-scale war in Vietnam.

In the case of the capture of our intelligence ship by the North Koreans some Washington observers are asking why the captain did not try to immobilize or even scuttle the ship rather than permit her seizure? Navy officers said that if the ship's rudder had been jammed and her anchor dropped, she would have been hard to tow the 25 miles from the scene of the encounter to the North Korean port of Wonsan. Others say the ship could have been sunk with the explosives believed to have been on board.

Why did the ship apparently offer no resistance, at least enough to delay the harassers long enough for a decision to be made to send help and for that help to arrive? An official Pentagon statement said the ship, the *Pueblo*, had radioed back that she "had not used any weapons."

It long has been a basic tenet among Navy officers not to surrender an armed vessel without a fight. The Pentagon had to reach back to the war of 1812 to remember the last time a Navy skipper had given up his ship without a fight. The ship was the *Chesapeake*. The skipper was subsequently court-martialed.

The questions keep coming. Why did the *Pueblo* not carry heavier weapons or, lacking a capability for effective self-defense, why was a destroyer escort not maintained in the vicinity?

One of the reasons according to Washington sources why the *Pueblo* did not have a warship escort is the fact that the Navy is sorely pressed to maintain required destroyers off Vietnam and in the other major fleets patrolling the world's oceans.

There was also the question as to why jet fighters were not rushed to the scene to protect the out-gunned vessel. There were at least a dozen Air Force F-4 and F-105 fighter-bombers on hand in South Korea, 54 Air Force fighters in Japan and scores of Navy fighters aboard the nuclear aircraft carrier *Enterprise*, which was steaming from Japan toward Vietnam at the time of the incident.

All of these questions point up how difficult it is for the average American to properly assess a situation such as the seizure of a U.S. ship in the waters of the Sea of Japan. While such an act may provoke a most serious crisis including another war we do not know the full facts which brought on the incident. It is best under the circumstances that we remain calm and take no rash action.

There has been speculation for some time about the possibility of resumption of the war in Korea which was settled in a shaky way with a truce in 1953. Some observers have cautioned that the Communists might launch a diverting action in Korea to add further strain on U.S. military strength in Vietnam. With each painful crisis it becomes increasingly plain what an enormous and dangerous task we have assumed by attempting to police the world.

TARGET: PUBLIC OPINION

Mr. BYRD of West Virginia. Mr. President, the New York Times of February 1

contains an article entitled "Target: Public Opinion," written by Hanson W. Baldwin. I read certain paragraphs therefrom:

United States intelligence officers believe that the latest nationwide attacks in South Vietnam by Communist guerrillas and sabotage and terrorist units, as well as the impending battle around Khesanh, are focused squarely on public opinion in this country and in South Vietnam. The enemy hopes to foster war-weariness; to strengthen the opposition to the war in the United States and in South Vietnam, and to force the allies to enter negotiations at a disadvantage.

The over-all strategy of the enemy, as interpreted in the Pentagon, is aimed primarily at political and psychological objectives.

Mr. President, the sum and substance of this article is that the Vietcong's aim, it is believed, is to spur allied war weariness. I ask unanimous consent that the article by this knowledgeable, shrewd, and highly respected analyst, Mr. Hanson W. Baldwin, be printed in the *RECORD*.

There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

TARGET: PUBLIC OPINION—U.S. OFFICERS BELIEVE VIETCONG AIM IS TO SPUR ALLIED WAR-WEARINESS

(By Hanson W. Baldwin)

United States intelligence officers believe that the latest nationwide attacks in South Vietnam by Communist guerrillas and sabotage and terrorist units, as well as the impending battle around Khesanh, are focused squarely on public opinion in this country and in South Vietnam. The enemy hopes to foster war-weariness; to strengthen the opposition to the war in the United States and in South Vietnam, and to force the allies to enter negotiations at a disadvantage.

The enemy's principal military effort is concentrated against the Marine base near Khesanh and its outlying posts, which are on the western end of the demilitarized zone. In this area, where massive North Vietnamese reinforcements can be supported by fire from artillery emplaced in the demilitarized zone or across the frontiers in North Vietnam and Laos, the enemy has been building up supplies and digging trenches and tunnels towards the Marine line.

The attack against Khesanh had been expected to coincide with Tet, the lunar new year, but apparently the North Vietnamese have been delayed by heavy United States bombing and artillery fire.

FORESEEN BY WESTMORELAND

As viewed from Washington, the situation in Vietnam is developing in outline—though not in degree or scope—along the lines foreseen by Gen. William C. Westmoreland, the United States commander, and his staff late last year.

The demilitarized zone had been expected to be the major focus of enemy efforts since it offers the shortest supply route and gives the enemy an advantage he enjoys nowhere else—the capability of supporting his infantry with heavy artillery fire.

At the same time the enemy had been expected to utilize the Tet truce to build up and resupply his forces, and perhaps to make diversionary attacks elsewhere in South Vietnam to prevent the reinforcement of the demilitarized zone area if possible.

All of these things have occurred; what was not anticipated was the scope, strength and skill of the attacks surprise they apparently achieved in many areas.

Officers asserted that the widespread attacks, including the assault on the United

States Embassy in Saigon, must have been long planned and carefully coordinated and were deliberately timed to violate the enemy's own truce. The attacks coincided with the holiday merrymaking and relaxation always associated with Tet. In some cities the popping of fire crackers covered the sound of enemy guns at first.

The South Vietnamese, while not completely surprised, had their guard down, although officers in Washington spoke last night in high praise of the South Vietnamese Army's rapid reaction.

The over-all strategy of the enemy, as interpreted in the Pentagon, is aimed primarily at political and psychological objectives. The terrorist attacks in Saigon and elsewhere were intended as "headline-grabbers," as one officer put it, "to make us look silly," and to impress United States and South Vietnamese public opinion with the enemy's strength.

Some of the attacks, like the mortar and rocket barrages against United States airfields, were military in nature, but many, like that on the embassy, were against non-military objectives. Presumably, none of them, with the possible exception of the attacks against Banmethuot, Hue and Kontum were envisaged as sustained efforts.

The "one-shot" efforts were launched in most cases by terrorist or sapper units, also called "suicide squads" and "special action" units, and were covered by attacks by local guerrilla units.

Last year the South Vietnamese police and military wiped out one such unit consisting of 12 men. A special action unit, it had accounted for about 80 per cent of the sabotage and terrorist acts in Saigon from 1965 to 1967.

LOSS OF FACE IS SEEN

As the military see the situation, the nucleus Vietcong attacks resulted in a loss of face for the United States and South Vietnam and will have intangible political and psychological effects. The United States casualties were not great but the South Vietnamese lost more than 200 men.

However, the costs to the enemy were very high—one estimate last night was 3,000 enemy, killed and captured—and most of his highly trained special action units and many local guerrilla units are believed to have been wiped out. Further, there was no diversion of allied strength from the Khesanh region and the DMZ, where the Marines had already been re-enforced by large elements of the first Cavalry Division (Airmobile) and by South Vietnamese troops.

On the other hand, the officers warned that the enemy's effort was far from over, and they believed that in the impending fighting around Khesanh he would make a supreme drive to achieve another Dienbienphu—the climactic battle that wiped out a French force of 15,000 men in 1954, and resulted in the defeat of France in Indochina.

Most officers in Washington are said to be confident that the enemy cannot repeat such a victory against American forces but do agree that the United States might well meet reverses and suffer heavy casualties. And it is heavy casualties that are a key factor in the enemy's attempt to influence American public opinion and to undermine the will power of the United States and South Vietnam.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. (Mr. McIntyre in the chair). Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STOKELY CARMICHAEL AND MARTIN LUTHER KING TO CONSIDER CAMPAIGN COALITION

Mr. BYRD of West Virginia. Mr. President, a small but significant news item appeared in the inside pages of the Washington Post this morning. It said that Martin Luther King and Stokely Carmichael would meet to consider combining forces for the "civil disobedience" pressure campaign on Congress planned here in April.

I have felt all along, Mr. President, that the presence of Carmichael in Washington was an ill omen for the future. That King would consider joining forces with the man who advocates burning America down tells us something about the civil rights apostle of "non-violence," too, I think.

I shall have more to say on this subject at the appropriate time.

I ask unanimous consent that the article entitled "Carmichael Due To Meet King," published in today's Washington Post, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

CARMICHAEL DUE TO MEET KING

ATLANTA, February 1.—Dr. Martin Luther King Jr. and black power advocate Stokely Carmichael will meet in Washington, D.C., next week to discuss joining forces for Dr. King's "massive civil disobedience" campaign in the Capital in April.

The exact date and place of the King-Carmichael meeting has not been set, said the Rev. Bernard Lafayette, the former field secretary for the Student Nonviolent Coordinating Committee.

CONSUMER PROTECTION

Mr. MAGNUSON. Mr. President, the Committee on Commerce has been quite active, during the last session and in the preceding Congress, in considering items which are commonly called consumer protection items. Sometimes the press has asked, "Why all of this rush on consumer items at this time? Is there some significance to it?"

Of course, the significance is the need for the legislation. The Committee on Commerce has for years been very active on consumer items. In 1953, Congress passed a bill, of which I was the author, dealing with flammable fabrics. The Senator from Louisiana will remember the Wool Labeling Act. We went into the matter of truth in fabrics, which deals with clothing, quite thoroughly. We have dealt carefully with food labeling, and have enacted a number of measures to give the consumers better protection as to the quality of the products they buy in an increasingly complex marketplace.

So the committee has been active for a long time in this field. Last session we considered auto safety; two sessions ago, tire safety. For some reason, the people in the communications fields who discuss these matters—press, radio, television, and otherwise—have paid more attention to the committee's activities in this area lately than they used to, when we have considered such items in the past.

I do not recall having any particular publication of the Wool Labeling Act, the Truth in Fabrics Act, or the Fur Labeling Act at the time.

We have been looking at this matter for a long time.

I must admit that in the minds of the public the law is becoming more complex as time goes on and as our economy has expanded. We have been studying consumer items in much more detail than in past sessions. The concern and awareness of the Commerce Committee is not some Johnny-come-lately matter.

I thought that I would review a little bit today the work that the committee is doing on these so-called consumer items.

It will be recalled that the President of the United States in three state of the Union messages has mentioned many of these items, consumer safety items as well as consumer protection items. I thought that I would at this time review for the purpose of the record what the Commerce Committee has been doing in this matter.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the distinguished Senator from Washington be recognized out of order for an additional 20 minutes.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. MAGNUSON. Mr. President, consumer protection is not out of order.

I understand that we do have some business pending, but I thought that I might at this time discuss the condition existing with relation to some of these matters, conditions which I think have continued for a little too long a time.

Climaxing 3 years of intensive growth on a steadily broadening front, 1968 will signal the full maturation of the Senate Commerce Committee's commitment to consumer democracy.

During these past several years, the committee patterned and shaped consumer legislation in areas as diverse as the safe design and construction of automobiles, the retarded flammability of textile products, the safe construction and operation of natural gas pipelines, the elimination of poisonous and explosive household chemicals and of dangerous toys, the cautionary warning of the severe hazards of cigarette smoking, and the clear and comprehensible labeling and packaging of consumer products. This was known as the Truth in Packaging Act.

I pay tribute at this time to the distinguished Senator from New Hampshire [Mr. Cotton], the ranking minority member of the committee, and to all other members of the minority who have joined in these efforts.

During the course of these efforts, the

role of the committee has evolved from one primarily of responding to executive proposals to one of generating and initiating new programs internally. This evolution has been accompanied, moreover, by a parallel growth in the range and boldness of the proposals developed and proposed by an administration which fully shares our own sense of unfulfilled obligation to the American consumer.

Thus, last year, in transforming the sharply limited terms of the original Flammable Fabrics Act into a comprehensive omnibus textile products safety measure through the Flammable Fabrics Act Amendments of 1967, and in developing a new regulatory framework to assure minimum safety standards in the construction, performance, and operation of natural gas pipelines through the natural gas pipeline safety bill, we added solid building blocks to the foundations of consumer protection laid in the Motor Vehicle and Traffic Safety Act and the Child Protection Act enacted in 1966.

In a separate but related measure, the Fire Research and Safety Act, the committee sought to make possible a long-range program of comprehensive fire research and pilot safety programs to seek out ways to heighten our effectiveness in protecting against fire-inflicted deaths, injury and damage to property. And in providing legislative authority for the creation of a National Commission on Product Safety, we sought to secure a coherent, comprehensive review of, first, the extent to which the unsafe design or construction of household products constitutes a significant public health problem in the United States today, and second, the adequacy of existing safeguards against the sale of hazardous household products.

In addition to completing action on these landmark measures—of which only the gas pipeline safety and the fire research and safety bills await House action—we completed the initial phases of several additional significant pieces of proposed consumer legislation, as discussed below, including legislation authorizing the Public Health Service to set maximum radiation emission standards for electrical appliances and medical devices, legislation to upgrade and strengthen the quality of Federal fish inspection programs, the proposed Power Reliability Act designed to forestall major electric power blackouts, and legislation to promote the development of less hazardous cigarettes. I emphasize "less hazardous cigarettes."

In exercising its oversight responsibilities, the committee kept close watch over the development of regulations implementing the Fair Packaging and Labeling Act, and it held intensive inquiry into the vigor and effectiveness with which the National Motor Vehicle and Traffic Safety Act has been implemented by the Department of Transportation. These oversight activities will continue unabated.

Finally, the committee laid the groundwork in 1967 for major committee projects in the coming session. These will include consideration of fundamental automobile insurance reform; improving the disclosure of terms and the performance of guarantees and warran-

ties; relief from high pressure door-to-door sales techniques, home improvement frauds, and certain arbitrary and deceptive practices of household movers. The committee will also probe the fairness and adequacy of voluntary commercial standards, particularly those affecting consumer goods, and the role of unjust commercial practices in the urban ghettos as a source of racial and social unrest.

These events have laid the foundation for prospective committee action in the following major consumer projects:

AUTOMOBILE INSURANCE

The American system of compensating automobile accident victims, built upon the ancient foundation of common law tort liability, is, by common consensus, grossly inadequate in an age dominated by the automobile, its blessings and its social costs. And the automobile insurance industry superimposed upon this archaic legal framework is, by the admission of its own leading members, a beleaguered industry. Discriminatory and sharp underwriting practices appear to exist to a significant degree. These include arbitrary cancellations and failures to renew, geographical, racial and economic blackouts in coverage, discriminatory premium rates, and unfair and inadequate claims settlement practices.

According to published reports, of about \$4.5 billion a year paid by Americans for automobile bodily injury liability insurance, less than half that amount is returned in net benefits paid to only some of those injured—for example, only 37 percent of Michigan's traffic victims in 1958. Yet premium rates rise inexorably. New and imaginative approaches can surely introduce a greater efficiency into the system, thus reducing the consumer's cost of protection and increasing the proportion of the injured who receive just and equitable benefits.

On December 14, 1967, I introduced Senate Joint Resolution 129, which would authorize the Secretary of Transportation to cooperate with other Federal agencies, including the Federal Trade Commission, in the conduct of a comprehensive study and investigation of the automobile insurance industry and the existing compensation system for motor vehicle accident losses. The report, to be filed with the Congress within 18 months of enactment of the resolution, would provide the basis for voluntary reforms and possible legislative action in the next Congress. President Johnson, in his recent state of the Union message, endorsed such a study.

A preliminary report from the Secretary will be submitted early in this session, outlining the scope of the proposed study and investigation. Committee hearings to identify problem areas and determine the precise dimensions of the investigation will be scheduled shortly thereafter.

ELECTRIC POWER RELIABILITY

One of the major pieces of legislation before the 90th Congress is the proposed Electric Power Reliability Act, S. 1934. This bill was drafted by the Federal Power Commission, at the President's request, to insure that major power blackouts, such as that which darkened

the Northeast in November 1965 can be eliminated or at least reduced to a bare minimum in the future. Yet as the size of our electrical systems continues to grow through high voltage interconnections, the possibility of massive failures over wide areas increases at the same time that the number of these and smaller power disturbances is dramatically reduced. Nevertheless, since the major Northeast failure of 1965, there have been 26 blackouts extensive enough to be classified as "major" power failures by the Federal Power Commission. Many experts agree that this relatively high number of failures can be reduced substantially. And all agree that it is extremely important that we try to reduce them, for such blackouts can cause considerable economic loss to industries located within the blackout area and could, under certain easily foreseeable circumstances, lead to disaster.

Under the Power Commission's proposal, a system of regional councils would be created to coordinate the planning of bulk power facilities by all utilities—private, public, and Federal—within each designated region. The councils would develop regional plans which would then be reviewed by the FPC to determine whether they conform with the broad objectives outlined in the act. The bill provides that all utilities participating in an FPC-approved regional plan would be exempt from private antitrust actions. In other words, they would have to correlate and join together in many ways. In addition, it would establish procedures for FPC certification of EHV lines, which would provide an opportunity for public notice and hearings prior to final approval of a proposed EHV line routing.

The committee also has before it several additional bills relating to the construction of EHV lines; the study of serious power failures; and the conferring, under specified conditions, of antitrust immunity upon utilities which are cooperating in the planning and operation of electrical systems. We plan to consider these proposals in conjunction with the power reliability legislation.

During preliminary hearings on S. 1934, the committee has become increasingly aware that the impact of the proposed legislation as well as the nature of the reliability problem varies greatly from region to region throughout the United States. In other words, what might be true in the Pacific Northwest might not apply to the Northeast or the Middle East area. It was this realization that led the committee to plan a series of regional hearings so that we could better understand the regional as well as the national implications of this legislation.

The first such hearing was held in Seattle, Wash., on December 20 and 21. Subsequent field hearings will be conducted during the next few months.

(At this point Mr. BYRD of Virginia assumed the chair.)

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. LAUSCHE. A request has come to me from the electrical power interests of Ohio that a meeting should be held

in the Ohio area on this very important bill. There is no expression of objection to the bill.

Mr. MAGNUSON. No. We seek modifications and ideas.

I say to the Senator from Ohio that electrical power reliability is not achieved simply by passing a law. There must be the complete cooperation of all the utilities involved—private and public.

Mr. LAUSCHE. That is what has been indicated to me.

This morning I sent a note to one of the staff members of the Committee on Commerce, asking him to explore the situation, because I believe that the electrical power suppliers in Ohio want to cooperate and work out a system which would prevent future breakdowns of broad areas in the supply of power.

Mr. MAGNUSON. I am sure the Senator is aware of the situation.

I held a hearing in Seattle on December 20, which involved the Pacific Northwest. We have a little different situation there. We have the Bonneville distribution system, which involves everyone. However, in the Senator's area and in the Northeast, the situation is a little different. I found a great awareness on the part of the utilities in wanting to do something about this matter, and we want to join them and to be helpful.

I hope that the Senator from Ohio, who is a distinguished member of my committee, will find the time to conduct at least 2 or 3 days of these important hearings in that area.

Mr. LAUSCHE. I contemplate doing so.

Mr. MAGNUSON. It is not the desire of these industries to do this. They want to have the best equipment possible. But, occasionally these problems are caused by mistakes or lack of technological planning.

RADIATION HAZARDS

One of the marvels of modern technological progress is the wizardry performed by high-powered electronic equipment with their high voltage vacuum tubes which have made possible a whole new variety of industrial and household products ranging from radar ranges powerful enough to broil a steak in seconds, to laser beams that pierce diamonds for bearings, to color television. Related to these are the machines that produce X-rays for industry, medicine and dentistry, particularly the fluoroscopes and other diagnostic and therapeutic X-ray devices. But, as with other blessings of modern technology, our appreciation of the potential hazards of electronic and X-ray equipment has lagged behind our fascination with their benefits. Belatedly, the public has acquired a growing awareness that it may be exposed to excessive radiations from improperly designed or constructed electronic equipment.

Late in the first session of the 90th Congress, the committee held 3 days of hearings on S. 2067, the proposed Radiation Control for Health and Safety Act of 1967, introduced by Senator BARTLETT. The hearings produced substantial evidence that legislation is desirable to protect the public from unnecessary exposure to ionizing and other potentially

harmful radiations from electronic products. In particular, the committee notes testimony that shows unnecessary public exposure to the public from poorly designed or operated X-ray equipment of some physicians and dentists.

The product may be good but sometimes the physician or the dentist may not be trained properly to operate it.

The American Medical Association and the American Dental Association are wholeheartedly trying to work out this matter.

Recently the American Dental Association itself has cautioned against the routine, noncritical use of X-rays by dentists, a striking recognition of the growing realization of the potential hazards of excessive radiation.

I might mention that I have been in the office of a dentist all morning. He put some substance on each side of my jaw. He claims he knows how to operate the equipment. He is a good dentist. However, in other places there are people who do not know how to operate the equipment properly.

The two professional organizations to which I have referred have suggested to all of their members that they should consider taking another course in the operation of these new and fascinating devices that are going to give us better health in the future in connection with dental care.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. LAUSCHE. Am I correct that within the last several days there have been articles in the newspapers indicating that leaders of the dental associations have discussed this subject?

Mr. MAGNUSON. The Senator is correct. They are trying to insure that all members today—and that would be about 98 percent—know how to use these new and modern devices which are going to be good for the health of the people in this country. The American Medical Association is making the same suggestion.

Mr. LAUSCHE. They are thoroughly conscious of the problem and they are aware that attention must be given to it because the rays do destroy health unless the application of the rays are guarded scientifically and efficiently.

Mr. MAGNUSON. The Senator is correct. I shall not go into detail; but, as the Senator knows, there are also many side effects.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator may proceed for an additional 10 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. MAGNUSON. Mr. President, the discovery last spring that certain color television sets contained a part that emitted X-rays far in excess of present professional standards for radiation control illustrates both the kind of radiation hazards that may be introduced into our households and the fact that no Federal regulatory standards exist which would have prevented the sale of these sets in

interstate commerce. Other testimony clearly demonstrated that many new electronic products may emit radiations which can produce adverse biological effects in humans. And these radiations include, in addition to the familiar X-rays, such other radiations as microwaves and laser beams.

State statutes and State radiation control organizations today furnish the only protection and safeguards against use of equipment that may cause occupational or personal exposure to radiation that exceeds professionally recognized exposure guides—assuming that such guides exist in all cases, which they do not. Moreover, the limited funding and poor quality of enforcement of State programs furnish little substantial protection against the sale in interstate commerce and the subsequent use of potentially dangerous equipment.

The bill before the committee would authorize the Secretary of Health, Education, and Welfare to establish and carry out a program, with inputs from scientific, professional, industrial, and other bodies, to protect the public against the future sale of poorly designed equipment that can cause undesirable radiation exposure. It would authorize the Secretary to set standards for radiation control that would apply to electronic products sold in interstate commerce. It would also authorize the Secretary to conduct and sponsor the research necessary to establish a sound basis for such standards. In doing these things, S. 2067 reflects President Johnson's recommendation in his recent state of the Union message for legislation to control hazardous radiation.

The committee hopes to conclude its hearings and report appropriate legislation.

FISH INSPECTION

We just finished a controversy in connection with meat inspection, as the Senator from West Virginia well remembers. Fish is a big commodity for the housewife in the United States. I believe that Americans do not eat enough fish. It is a perishable commodity and it has to be handled carefully.

Last July the committee held 2 days of hearings on the proposed Fishery Products Protection Act of 1967, S. 1472. This bill would authorize the Secretary of the Interior, under whose Department comes the Bureau of Commercial Fisheries, over a 3-year period, to conduct a survey "of the methods, practices, and sanitary conditions of the establishments and vessels of the United States processing fish and fishery products," and, on the basis of the facts developed by this survey, to issue regulations which would establish such sanitary standards and practices for these establishments and vessels as he finds are necessary to insure that fishery products will be wholesome, unadulterated, and of good quality.

At the time of the hearings, the administration questioned the need for such legislation, since the Food and Drug Administration has had a limited fish inspection program for many years. Certain witnesses did point out, however, that an exceptionally large proportion of many fishery products offered to the con-

suming public are of inferior quality, and other statements were produced indicating that the sanitary practices observed in segments of the industry were far from adequate to insure the wholesomeness of the product.

In addition, considerable controversy exists in the fish industry as to the proper agency repository for this fish inspection. Cannerymen, who have long dealt with the Food and Drug Administration, feel that this agency should have jurisdiction, while the fresh fish industry and fresh fish processors feel that the Bureau of Commercial Fisheries cannot be excluded from a prominent role in this activity. This is a matter the committee will have to decide.

Since the hearings, there has been increasing interest in this subject, and the President has now indicated that he will request an expanded fish inspection program. I expect that proposal to be here next week. We believe that the hearings will be concluded and further action in this area can certainly be expected during the coming session of Congress.

HOME IMPROVEMENT FRAUDS

Next, a matter of timely importance to all Americans—home improvement frauds. Mr. President, I do not know how many letters Senators have been receiving on this matter but the committee has received plenty. The Senator from West Virginia [Mr. BYRD], who plays such a prominent role in the affairs of the District of Columbia, has a pretty good idea, I am sure, of what has been happening in that field. Scores of frauds have been uncovered. That is true not only in the District of Columbia but also all over the United States.

The home improvement industry in the United States now serves a \$15 billion annual market. The services it performs and the new materials and techniques it has introduced have greatly contributed to the material well-being of millions of American families. But the industry's performance and reputation—that is, the good ones, let us put it that way, and the reliable ones—have been scarred by the predatory tactics of unscrupulous fringe operators. I suggest that the reliable ones are 100 percent in cooperation with us. For the past decade, home improvement frauds have been the subject of more complaints to the Better Business Bureau than any other type of business enterprise. I think that in the District of Columbia, home improvement frauds have been subject to more complaints to the Federal Trade Commission than any other. I think it is four times as much. Home improvement malpractices alone account for an estimated consumer loss of from \$500 million to \$1 billion yearly.

According to a recent report from the Federal Trade Commission to the committee, large and small contractors, product suppliers, and financial institutions are all involved, to some degree—in some areas, and I do not say that this is a rule, it may be the exception—in home improvement deception. Although the poor are easy prey and frequent victims of home improvement rackets, no one is immune from such victimization.

The products and services these unscrupulous sellers offer are numerous—

siding, storm doors and windows, roofing, wall-to-wall carpeting, central vacuum cleaning systems, intercoms, fire alarm systems, awnings, gutters, chimney repairs, furnace repairs, driveway repairs, among others. And many of these home improvement sales are made through outright deception, fictitious and inflated pricing, bait and switch tactics, bogus contests, fictitious bargains, misrepresentations of guarantees and product quality, referral selling, scare tactics, and many others.

I pause here to suggest that all one has to do is to listen to a radio station in a given metropolitan area on a given day to know what goes on.

Mr. LAUSCHE. Mr. President, will the Senator from Washington yield for a question?

Mr. MAGNUSON. I do not mean the large areas, but smaller ones; because we could not possibly examine all the advertising that comes in.

The PRESIDING OFFICER. The time of the Senator from Washington has expired.

Mr. BYRD of West Virginia. Mr. President, I note that no other Senator desires recognition in connection with the transaction of routine morning business. The Senator from Washington is making a very important, informative, and most interesting statement, and I therefore ask unanimous consent that he be allotted not to exceed an additional 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. I thank the Chair. I am happy to yield now to the Senator from Ohio.

Mr. LAUSCHE. In the early 1930's, when I was a judge on the courts in Cleveland, actions were brought before me against homeowners who had purchased furnaces and other types of services. The situation frequently cropped up where the contractor who had supposedly committed a fraud or a wrong took a promissory note and then sold it to a finance company.

Mr. MAGNUSON. The Senator is correct.

Mr. LAUSCHE. The finance company would then come in and say, "We bought the note. We are innocent holders without notice of any fraud having been committed."

My question is: Is that practice present, so far as the Senator from Washington knows, in these instances because he has mentioned finance companies?

Mr. MAGNUSON. There is no question about it. They plead, as the distinguished Senator from Ohio knows as a good lawyer, third-party innocence, that they knew nothing about it. Then they go ahead and collect on the notes, such as we have been reading about in the Washington papers.

Mr. LAUSCHE. That was the practice in the 1930's and obviously it is still the practice today.

Mr. MAGNUSON. Yes.

Mr. LAUSCHE. So that the perpetrators of wrong sell the promissory note and the buyer of that promissory note shuts his eyes, closes his ears, and pretends he knows nothing about what the perpetrator of the wrong did.

Mr. MAGNUSON. That is correct.

Mr. LAUSCHE. The buyer usually buys these notes day after day, and then has the audacity to say, "I neither saw, nor heard, nor had any knowledge of the fact that the seller of the note to me was in the habit of practicing fraud."

Mr. MAGNUSON. I suspect, let me say to my good friend from Ohio, that we will have plenty of testimony on this phase of the home improvements fraud matter.

Although the FTC has maintained a small enforcement program against improvement frauds, unfair practices in the home improvement field are now so serious and widespread that, on behalf of myself, Senator HARTKE, Senator HART, and Senator BREWSTER—and, I am sure, the agreement of the Senator from Ohio that he will be a cosponsor—I have introduced a joint resolution (S.J. Res. 130) to create a special FTC task force devoted to rooting out home improvement frauds.

The resolution directs the FTC—again because we do not want to be unfair about this—to make a 1-year investigation into deceptive practices in the home improvement industry, including a detailed study of the relationship between racketeers, finance companies and product suppliers. The resolution also directs the FTC simultaneously to expand and intensify its enforcement activity in home improvements. To enable the Commission to perform this massive crack down the resolution would have to authorize the appropriation of a certain amount for the next 3 years.

Additionally, to allow the FTC to halt deceptive home improvement swindles quickly before the perpetrators can milk their scheme dry by delaying final order, the resolution would permit the FTC to seek from an appropriate court, when it is in the public interest, a preliminary injunction against the alleged offender.

In view of the dimensions of the problem and its consequences, additional manpower and legal powers to curb home improvement rackets are an essential part of the committee's program to protect consumers. Hearings on the resolution will be scheduled early in the year.

FTC ACT ANTIFRAUD AMENDMENTS

Although fraudulent practices in the home improvement field appear to be approaching epidemic proportions, we should not minimize the impact of such predatory and deceptive practices in other lines of commerce. The Federal Trade Commission has been notoriously ill equipped to take speedy and forceful action against the inventive army of fly-by-night operators who prey upon the public with schemes as extensive and diverse as the wit of the confidence man, abetted by modern tools of communication and persuasion, can devise. The Commission has long sought additional powers to cope with such practices; specifically, the power to obtain preliminary injunctions and to impose fines for unfair or deceptive practices committed with the intent to deceive or defraud.

In addition, the Commission has on occasion been severely hampered in its deceptive practices work by the restricted interpretation of its basic mandate which does not permit it to police deceptive acts

and practices which clearly affect interstate commerce. There is substantial support for legislation to expand its jurisdiction to the extent permissible under Federal law.

The President, in his state of the Union message, called for additional powers to enhance the ability of the FTC to protect consumers. We anticipate that his recommendations will be similar to those suggested above. We will give earnest consideration to these proposals, for they certainly should be an integral part of any meaningful consumer protection program.

DOOR-TO-DOOR SALES

Every year unscrupulous salesmen defraud the public of hundreds of millions of dollars—more, it is estimated, than is lost through robbery, embezzlement, and forgery combined. The committee has acquired substantial evidence that a disproportionate share of this deceptive selling is carried on by door-to-door salesmen who employ such schemes as bait advertising, fictitious pricing, chain referral selling, deceptive "giveaways," and simple scare and high-pressure tactics. The evidence is persuasive that thousands, perhaps millions, of persons subjected to such practices in their own homes, sign contracts for unwanted and unneeded merchandise.

Not infrequently, the victimized realize almost immediately—or sometimes the next morning—that they have been cheated or lured into making an unwanted purchase at an inflated price, but they are unable to do anything about it.

I guess this takes place after the husband comes home and asks, "Darling, what did you do today?" And the wife says, "Oh, the nicest man showed up today, and I signed this contract." Then they take a look at it. Consequently, the buyer may become hopelessly saddled with long-term debts and subjected to the thinly disguised threat of debt collection proceedings if he defaults—garnishment is one example.

To remedy this situation and to give consumers some recourse from high pressure, deceitful sales practices, Senator BREWSTER and I, in April 1967, introduced S. 1599, the proposed "Door-to-Door Sales Act." The bill calls for a "cooling off" period during which the buyer can rescind a sale or sales contract "which is entered into at a place other than the place of business of the seller." The buyer must simply notify the seller of his intention to rescind by mail prior to midnight of the following business day.

Someone has suggested that we ought to make that 48 hours or longer. Oddly enough, in Great Britain a slip is provided, and if the purchaser thinks he did the wrong thing, he can tear off that slip and drop it in the mail within 24 hours. I think that is the period of time allowed in Great Britain. I will put into the Record what the exact period of time is.

The bill also provides that the salesmen furnish the buyer, at the time of the sale, with a receipt which bears a conspicuous notice informing him of his right to rescind and which also sets forth

the seller's address and the details of the transaction.

We hope to hold hearings on the bill and take appropriate action early in 1968. We will have hearings on this bill.

ADDITIONAL COSPONSOR

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. BYRD of West Virginia. Does the period of 48 hours, or whatever it may be, have reference only to those contracts that are made as a result of door-to-door selling?

Mr. MAGNUSON. That is right, outside the place of business.

Mr. BYRD of West Virginia. Are Senators who are not members of the committee being accepted as cosponsors of the bill?

Mr. MAGNUSON. Yes.

Mr. BYRD of West Virginia. I wonder if the Senator would mind adding my name as a cosponsor?

Mr. MAGNUSON. Mr. President, I ask unanimous consent that that be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. I thank the Senator.

Mr. MAGNUSON. Mr. President, I want to depart from my prepared remarks for a moment. We have had several meetings on this subject. We do not go at this problem just overnight. We have talked with representatives of industry and those who do door-to-door selling. They feel something like this should be given to the people. They feel they sell good products and that their cancellations would be minor. I suppose any Member of the Senate could ask his wife about the number of people who come to the door of his house in a given day. Some of the products they sell are good. As a matter of fact, some of the more prominent door-to-door salesmen do not mind this proposal at all, because it gives them a second chance to get back in the house. They will say, "Look, maybe I was wrong," but this gives them a chance to sell three or four more things. But some of them have been found to be deceptive, particularly with respect to advertising claims. We have had many cases pointed out to us in which the salesman says, "You take this product. You do not have to pay right now. If you will give us the names of prospective customers, you may keep this." Well, it is found that the prospective customer has never been found and the person is sent a bill, and perhaps action is brought against him to collect.

CIGARETTE ADVERTISING AND LABELING

Toward the end of August last year, the committee held 3 days of hearings to review the scientific progress being made toward the development and marketing of less hazardous cigarettes. These hearings were prompted in part by growing interest in promoting competition in the sale of cigarettes which are low in tar and nicotine, and by several highly publicized, but unsubstantiated, reports of "breakthroughs" in filter technology. The committee was particularly concerned with the extensive claims for the "Strickman" filter then being promoted by Columbia University. At the close of

the hearings, I stated that the testimony had led me to the following conclusions:

First. While more refined approaches may be promising, we can now state with assurance only that reduced total tar and nicotine is probably an effective route to a less hazardous cigarette.

Second. Competition in the production and marketing of cigarettes progressively lower in tar and nicotine content is highly desirable.

Third. Advertisements which list tar and nicotine levels, together with truthful collateral statements, are essential to such competition through the development of consumer acceptance of such products.

Fourth. The Surgeon General should establish a panel or task force to evaluate health claims for new filters or processes, and if legislation is required to accomplish this result, then such legislation should be proposed.

Fifth. The Surgeon General should consider whether the Federal Government should prescribe maximum permissible limits for toxic substances contained in cigarette smoke.

We intend to pursue these suggestions through hearings and through encouragement of administrative programs, such as that undertaken by the Federal Trade Commission which is periodically testing cigarettes for their tar and nicotine content and reporting its tests results to the committee.

In addition, we remain deeply concerned about the role of advertising, especially television advertising, in promoting or sustaining the smoking habit, particularly among young people. The committee has before it various proposals to regulate or limit such advertising and we are planning to hold comprehensive hearings on these proposals early in the session.

GUARANTEES, WARRANTIES, AND SERVICING

The committee has been receiving a steady flow of mail from consumers throughout the country complaining, typically, that a recently purchased product was defective and would not be repaired or replaced by the manufacturer; or that certain defects or failures in a product had not been repaired, despite frequent visits to the repair shop; or that the prices charged for minor repairs were exorbitant; or that significant parts of a product's mechanism were not covered by the guarantee but that this had not been made clear at the time of sale; or that disputes with the manufacturer as to the coverage of the guarantee and the allocation of costs under it always seemed to be resolved by the manufacturer in his favor.

I do not quite agree with that. Perhaps that statement should be modified. I would probably say that the allocations of costs resolve themselves that way because of the inability of the consumer to make communication with the manufacturer. That is a better way to put it, because the overwhelming majority of legitimate manufacturers would not want it said that their product was not good. But there is a complete gap there, and it results in default in the manufacturers' favor.

In the closing days of the last session,

three bills were introduced to deal with these problems. The first bill, which I introduced, (S. 2726), would require the comprehensible disclosure of the terms and conditions of guarantees and warranties. It would also establish an Advisory Council on Guarantees, Warranties, and Servicing which would conduct a comprehensive study and investigation of the adequacy of performance under guarantees, the methods of resolving disputes relating to the adequacy of such performance, the extent of the difficulty in securing competent servicing of mechanical and electrical products under warranties and guarantees as well as under customary service agreements, and the difficulties encountered in obtaining relief for inadequate performance under guarantees and under customary service agreements. This Council would be required to report back to Congress with its recommendations within 2 years.

I personally think it can be done in a shorter time than that, but that is what is proposed.

The provisions of the remaining two bills, S. 2727 and S. 2728, introduced by Senator HAYDEN, are similar. S. 2727 would apply to automobile warranties and S. 2728 to those on home appliances. Each bill would set up an arbitration system to settle disputes arising under warranties and guarantees. In addition, however, they would authorize the Secretary of Commerce to set standards to regulate the relationship between the manufacturer and his dealer, so as to make clear that the manufacturer must be ultimately responsible for performance under the guarantee agreement.

Poor servicing and inadequate performance under guarantees is one of the major areas of consumer discontent. We, therefore, plan to hold hearings on these bills early in the session and hope to develop some sound legislative solutions during this session of Congress.

MISCELLANEOUS

Mr. President, I am about through with this long and complicated field, but there are several other additional consumer projects which the committee will consider during the coming year. We may not get to all of them, but at least we will hope to create an awareness of conditions that exist.

First. The committee has become increasingly concerned with complaints received by Members, as well as the Interstate Commerce Commission, concerning unfair and arbitrary practices of household goods movers. These embrace, but are not limited to, problems arising out of chronic underestimates to housewives, deliveries far beyond the promised dates, inflexible credit policies and dilatory claims settlement procedures. The committee will attempt to develop adequate procedures through the ICC to deal with these problems, since the ICC alone has the authority.

Anyone who has shipped household goods, and had one piece damaged, knows the nature of the problem. Even when the movers admit they were responsible for the damage, it is amazing how long it takes to settle the account, even though the amount is small. Usually the actual worth of the item entailed is

not the chief consideration. To the housewife, it is the fact that it was her piece of furniture, perhaps something which had a special sentimental value to her, which often creates difficulties almost impossible to surmount, and we hope that the ICC will take a longer look at this issue.

I point out that reliable household goods movers would probably wish to cooperate in helping solve the problem, because they wish to do the right thing for their customers.

Second. The committee will consider S. 2186, introduced by Senators HART and BREWSTER, which would create a National Consumers Service Foundation—an item which I believe the administration has mentioned on several occasions—to represent the consumers' viewpoint before Government agencies and also develop information helpful to consumers.

This is a broad question, at which the committee will have to take a long look.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MAGNUSON. I ask for 3 additional minutes.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the Senator from Washington may have 10 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Third. There is growing concern with the volume of accidental poisonings of young children by prescription drugs and similarly packaged potentially poisonous products sold in interstate commerce. I am not talking about the labeling. The Food and Drug Administration can take care of that. The committee hopes to develop an appropriate program to promote the use of safe containers—containers which are available; I have seen many of them. They are almost foolproof, and do not cost any more than some of the unsafe containers now in use.

Fourth. Two years ago at my request the Federal Trade Commission inaugurated a special pilot program in the District of Columbia—this will interest my friend, the Senator from West Virginia—to expose and halt frauds and other predatory practices affecting low-income consumers. The committee expects to review this program together with recent reports that consumers in these areas may be forced to pay higher prices for similar or lower quality products. I think the Senator from Michigan [Mr. HART] is now in the process of holding hearings on that matter.

Fifth. The committee will pay particular attention to many problems still unsolved with relation to tire defects—though we have passed a good law on that subject—and the grading of tire quality; safety standards for used cars—this is an oversight matter which I think we can work out—and the concern that Federal safety regulations may serve as an unjustified excuse for price increases.

The Senator from Connecticut [Mr. RIBICOFF], as I understand, intends to hold hearings next week on the safety device price increase in cars. Our committee will take a look at it afterward.

Sixth. The committee will maintain close liaison with the National Commis-

sion on Product Safety, created by Congress as a result of the committees finding that serious gaps remain in the laws protecting consumers against unsafe products.

I have a friend, Mr. President, who is one of the chief research men in one of the largest electrical manufacturing companies in the world. He has often said to me, "With all we know, and all the things we are doing in the field, there must be a better way to provide household electrical outlets than we have now, where children can stick their fingers in and get electrocuted." He says, "There must be a better way, and it does not need to cost any more."

This is the type of thing we are talking about.

Seventh. On item 7, the committee has had many hearings, and has been involved with the subject for a long time. Although the transportation of hazardous substances, both explosive and poisonous, is presently regulated by the act governing the transportation of explosives, recent tragedies have raised questions as to the adequacy of the implementation of the present statutes. The committee intends to give close attention to this matter.

Eighth. An important aspect of the drive to require full disclosure of interest rates has been the recognition that credit advertising, as well as the credit contracts themselves, is an important factor in promoting credit competition. With 14 cosponsors, and I suspect there will be more, I introduced a bill, S. 2268, the proposed Fair Credit Advertising Act, which would require disclosure of the cost of credit in credit advertising. The provisions of this bill, in substance, have now been made a separate part of the House truth-in-lending bill, H.R. 11601.

Since the preparation of this report, I understand the House of Representatives passed that bill yesterday, by a large margin. The committee will follow with great interest the subsequent course of this legislation.

Ninth. The committee will continue to review voluntary standards development in the U.S. testimony before the committee in such apparently unrelated areas as automobiles, tires, gas pipelines, and cargo containers has raised serious questions as to the extent to which the public interest is served by the various voluntary standards-setting programs conducted by the U.S. Standards Institute and other reliable private bodies. They may not meet the challenges. The committee recognizes the valuable contribution made by these organizations but believes it is time for a comprehensive analysis of their role in our economy.

This is not as broad a package as it may sound. The committee has been considering many of these matters off and on for a long time. I think most of us know what we want to do. We wish to be fair; we wish to be practical; we do not wish to overload the American economy. We do not expect this to be a political issue at all. Certainly it is not the intent to bury American business in any kind of enterprise or operation such as we are undertaking. As a matter of fact, it is pleasing to me that almost every legitimate American businessman in all these fields, in the industries themselves,

have been most cooperative, most helpful; and I believe the business people will help us, with some of the legislation that will soon be forthcoming, to provide a fair, practical bill, which will not only help protect the consumer, but give American business some guidelines which industry itself has always wanted.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. LAUSCHE. Mr. President, at the very beginning, I wish to commend the Senator from Washington for a meaningful presentation on many problems confronting the consumers of the United States as well as the businessmen; and I am certain that his objective is to reach a conclusion, after the bills are considered, which will be fair to the businessman and fair to the consumer as well.

Mr. MAGNUSON. And even more important, as the Senator well knows, is the fact that we will have the cooperation of the business people involved. They have been giving us their cooperation.

Mr. LAUSCHE. Mr. President, I would like to take up four matters with the Senator.

The Senator's proposal with reference to the automobile phase of his presentation is to make a complete study of the automobile insurance business, the rights of motorists, the rights of the injured person, and the entire gamut of problems attending the operation of automobiles on the highways as they relate to insurance.

Mr. MAGNUSON. The Senator is correct.

Mr. LAUSCHE. It is also intended that we determine where the weaknesses in our present operations are and how they should be remedied by law.

Mr. MAGNUSON. The Senator is correct. I do not know whether we will need to do very much on the matter.

Mr. LAUSCHE. There has been some proof to the effect that the income derived from premiums is grossly in excess of the money paid out to compensate for the property damage, injuries, and deaths on the highways. There is some prima facie proof on this. However, the Senator from Washington and the cosponsors of the bill are not yet satisfied as to what the actual facts are.

Mr. MAGNUSON. The Senator is correct. However, by the same token when one talks to people in the insurance industry he finds that many of the automobile casualty insurance companies are having a real tough time today and that some of them have gone broke.

Mr. LAUSCHE. The Senator is correct.

Mr. MAGNUSON. The automobile insurance industry is most complex, and it has become a national problem. I am not talking about other types of insurance.

One cause of the problem is that if 20 people run into each other downtown—and I suspect that in the next 20 minutes 20 people will run into each other—these people will all be insured; but we will have to go a long way to find two individuals with the same type of policy.

Mr. LAUSCHE. Mr. President, I should like to be listed as a cosponsor of Senate Joint Resolution 129.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Ohio [Mr. LAUSCHE] be listed as a cosponsor at the next printing of Senate Joint Resolution 129.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, with reference to the electric power reliability bill, that measure has been offered because of the breakdown of electric power which paralyzed hospitals, businesses, and homes in a wide area in the northeastern part of the country.

Mr. MAGNUSON. It also interfered with the airlines. We were lucky that we did not have more accidents.

Mr. LAUSCHE. Mr. President, the purpose of that measure is to determine whether we can obtain cooperation so as to eliminate danger by virtue of having coordinated services rendered by a combination of power companies.

Mr. MAGNUSON. The Senator is correct. We found that the availability of people with expertise in this field is very limited. I refer to the knowledge concerning how to put together a nuclear system with a hydroelectric system or a steam plant, or all three of them, and create sufficient units to assure a continuous supply of electrical energy. The field is amazingly technical.

The industry is working on it. I do not believe that anyone who furnishes electrical energy does not want to have a continuous supply of electrical energy. It is to their advantage to have a continuous supply.

Mr. LAUSCHE. Mr. President, I set down hearings in Ohio on the Cleveland Illuminating Co. The officials of that company believed that the whole problem should be explored.

Mr. President, I should like to be listed as a sponsor of the Electrical Power Reliability Act.

Mr. BYRD of West Virginia. Mr. President, I should also like to be listed as a cosponsor of the Electrical Reliability Act.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the Senator from Ohio [Mr. LAUSCHE] and the name of the Senator from West Virginia [Mr. BYRD] be listed as cosponsors at the next printing of S. 1934.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, with reference to the home improvement frauds problem, I have already discussed that matter with the Senator briefly.

What the Senator stated reawakens in my mind the many instances of that character which were brought to my attention in 1934, 1935, and 1936 at the height of the economic paralysis that hit the country when creditors were bringing foreclosure actions of chattel mortgages and recovery of property under replevin actions. The bill dealing with home improvement frauds contemplates a complete study of that entire matter.

Mr. MAGNUSON. The Senator is correct.

Mr. LAUSCHE. Mr. President, I should like to be listed as a cosponsor of that measure also, Senate Joint Resolution 130.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the Senator from Ohio [Mr. LAUSCHE] be listed as a cosponsor at the next printing of Senate Joint Resolution 130.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, I now direct the attention of the Senator from Washington to the deceptions that are being and have been practiced by the door-to-door salesmen.

It is my understanding that that measure already contains substantive proposals which would permit a housewife after she has been induced to buy goods from a house-to-house salesman to have 24 hours within which to notify the seller that she does not want to abide by the contract.

Mr. MAGNUSON. The Senator is correct. Of course, I suppose it would be better to say that she has 24 hours in which to discuss the matter with the rest of the family, including the fellow who will have to provide the money. I imagine that many husbands will be very happy to see this bill enacted into law.

Mr. LAUSCHE. Mr. President, I should like also to be listed as a cosponsor of S. 1599.

Mr. BYRD of West Virginia. Mr. President, I should also like to be listed as a cosponsor of S. 1599.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that at the next printing of S. 1599, the names of the distinguished Senator from Ohio [Mr. LAUSCHE] and the Senator from West Virginia [Mr. BYRD] be listed as cosponsors of S. 1599.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. My own view is that it ought to provide for a period of 48 hours.

Mr. MAGNUSON. The committee will discuss that matter. The American public benefits from the sale of books. I buy a lot of books. I see all these books advertised, and I really want them. I bought one today. The book is on the "First 50 Years of American History" and contains illustrations of American antiques.

Even there, the book companies provide for a 30-day period of examination. If one does not like the book, he can send it back.

I appreciate the interest of the Senator. He has always had a great interest in these matters in committee.

This endeavor is in an effort to help the greatest economy in the world, a private enterprise economy, and it is to strengthen the theory of private enterprise so that we can move forward.

I am sure that most of the industry will help us.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. BYRD of West Virginia. Mr. President, I congratulate the distinguished senior Senator from Washington on the statement he has made.

I commend him on his leadership in this very important field—the field of protection to the consumer—which is becoming an increasingly important field.

We are all consumers. We may not all

be businessmen or laborers, but we are all consumers.

I think that the steps which are being taken by the Senate committee will be in the good interest of the consumers of the Nation and in the good interest of legitimate businesses. The businesses of our country support this kind of legislation and offer their cooperation, as the Senator from Washington has stated, and this legislation will benefit industry as well as the consumers.

Mr. MAGNUSON. The Senator is correct. And we want to see that we are not harassing anybody. We want to be practical about this matter.

I thank the Senator for his remarks.

A great deal of the difficulty in this matter arises because the marketplace is getting so complex that it is hard sometimes for anybody to understand it.

Mr. BYRD of West Virginia. The work the Senator is doing indicates the good service that he is performing for his people.

PRESIDENT JOHNSON POINTS TO NEED FOR IMPROVED STATISTICS FOR ECONOMIC ANALYSIS

Mr. TALMADGE. Mr. President, in his economic message today, President Johnson properly calls attention to the vital economic decisions which the Nation must face this year. And the President emphasizes that we face these hard decisions with a confidence born of success.

The President notes that our past successes are attributable in no small part to the fact that the United States has the most accurate, comprehensive, and detailed economic statistics in the world, based on information that has consistently improved in accuracy, speed, and coverage. But, wisely recognizing that the need for accurate and timely information to guide public and private decisions grows as we develop ways to make better use of our available statistics, he recommended a carefully designed, selective program of improvement in our current economic statistics.

This program deserves the wholehearted support of the Congress. For years, the Subcommittee on Economic Statistics of the Joint Economic Committee, has supported—and in some cases sponsored—continuing improvements in our current economic statistics, including most of those which constitute the President's program this year. President Johnson and the subcommittee support improvements in Federal economic statistics for the simple but fundamental reason that accurate, prompt, and comprehensive statistics on the state of our economy are absolutely essential to the development of sound economic policies by Government, business, and labor.

The criteria used to select each improvement which was included in the President's program are unassailable; that it assist current policy formulation, that it be capable of rapid implementation, and that its cost be moderate.

I congratulate the President on his attention to our needs for better economic information and strongly urge Senators to support this program.

PRESIDENT JOHNSON'S EXCELLENT INTERVIEW WITH GEORGE MEANY REAFFIRMS AMERICA'S REASONABLE POSTURE IN SOUTH VIETNAM

Mr. BREWSTER. Mr. President, in an interview filmed especially for members of the AFL-CIO, President Johnson has once again asserted America's determination to defend South Vietnam from aggression, while at the same time continuing to press for peaceful negotiations. The President told George Meany:

We are not going to let any of our nations who are bound to us by treaties and alliances be gobbled up by any would-be conqueror... while we stand by with an umbrella.

I think the American people stand firmly with him on this proposition. And I think they also agree with him that it is not in the interest of the United States "for us to stop our bombing, only to have them continue theirs. A bomb dropped from a bicycle can kill as many people as a bomb dropped from a plane."

The President's words are well heeded. We have seen over the past few days the kind of terror and destruction that Communist raids can cause throughout South Vietnam.

And as the President said, the United States is ready and willing to find ways to end this war. He added:

But, until the enemy is willing to go to the peace table, and is willing to say if you stop your bombing he will promptly come and talk, and that we can have productive discussions, and that he will not take advantage of our restraint to put extra pressure on during that period, then I think we would be endangering the lives of our men...

I am certain that the American people support the President's view that negotiations must hold promise of being productive before we enter into them. And we must be assured that Hanoi will not use this negotiating period to cause the kind of bloody incidents that are now underway in South Vietnam.

I ask unanimous consent that the President's excellent interview with Mr. George Meany be printed in the RECORD.

There being no objection, the conversation was ordered to be printed in the RECORD, as follows:

CONVERSATION OF THE PRESIDENT AND GEORGE MEANY, PRESIDENT OF AFL-CIO AND CHAIRMAN OF COPE

Mr. MEANY. Mr. President, this film we are making this morning will be shown to officers and members of our unions throughout the country, mostly the leaders of the American trade union movement at the local level.

I want to express our appreciation and the appreciation of the membership of the AFL-CIO for giving us this opportunity to talk to you about the many issues that we face, as well, perhaps, to talk a little bit about the issues we faced in the past, things that you are interested in and, of course, things that our members are very much interested in; for instance, the question of education, which I am sure you are greatly interested in.

The PRESIDENT. Mr. Meany, I welcome this opportunity to talk with you and to the officers and members of your unions and specifically on this subject of education.

I was in Congress for 24 years. During that time we talked about education a great deal,

and how important it was that we do something about it. But we did very little. We never had any overall comprehensive Federal Aid to Education during that period.

In 1964 and 1965, with the help of the AFL-CIO and the teachers of the country, and the mothers, we promulgated a program and finally passed through Congress a massive educational measure and supplemented it with more than 20 other bills.

The key bill is Elementary and Secondary Education. So as a result, today, the Federal Government is doing more than three times as much in the field of education as it did four years ago when this Administration began.

Mr. MEANY. I think that's true. I think actually what happened in '64 and '65 was that for the first time in the history of this country the Federal Government assumed that there was a Federal responsibility for the education of the children of America at every level and what we, of course, have always held as a cherished goal of America's workers, that we would see the day when every boy and girl in this country would get all the education that he or she—that they could assimilate, that they had the aptitude for, that they would get this irrespective of the economic circumstances from which they sprang.

The PRESIDENT. That is the objective and the goal of this Administration—to give every boy and girl in this country all the education that he or she can take. Through the Elementary and Secondary Education Act, through the Higher Education Act, we are taking care of the people between the first grade and the college graduates, even the graduate school graduates.

But we have responsibilities even beyond that which we are undertaking. In the Head Start program we are getting the youngster before he gets in the first grade. And in the adult education program, we are going back and taking people who are in their 60's, and some even in their 70's, and giving them adult education programs and teachings.

The sad thing about the world in which we live is that four out of every ten people, Mr. Meany, cannot read and write. This illiteracy and this ignorance is a terrible handicap to peace in the world, because when people are uninformed and when people are ignorant, they cannot reason and make judgments that they do if they have had the benefits of education.

So not only here in our own country, but throughout the world, one of the Number 1 problems of our time is education and how we can get it to the masses.

We have a massive program in this country. We are going to continue it. We are going to expand it.

Mr. MEANY. Well, of course, that's true, of course, that we feel that education and lack of education—illiteracy—makes a contribution toward the development of a situation where peace is not possible.

So we have been in this fight for a long time. For instance, the fight on poverty, the fight for minimum wages—this is not new, this is not new to us, and not new to you. Now, the first of February this year the minimum wage in this country went to \$1.60 an hour. The first of February last year there were about 8 million people added to that.

Now, what does this mean? This means in the final analysis that as far as those families are concerned, something concrete has been done in the war on poverty. The minimum wage law is part of the war on poverty. I am sure you can recall, because you were a Member of Congress back in 1938, I think it was, somewhere back there, when we passed the first minimum wage law, 25 cents an hour.

You remember that. I am sure you remember that because you voted for it. There were people who said then that this was going to bankrupt the country, this was going to be a terrible thing.

Now, in the final analysis, what it does, it brings more and more people into the mainstream of the American economy in the sense that they become purchasers and consumers in the marketplace.

The PRESIDENT. I have been through several minimum wage fights—the 25 cents an hour one, the \$1 an hour one when I was leader in the Eisenhower Administration, when I was Majority Leader of the Senate, and finally the \$1.60 that we have worked on the last few years.

I am glad it is going in effect. I think it is absolutely essential that we have some guarantees of some minimum for the people in this country. I remember when we passed the first act we had women, mothers of children, working for 6 and 7 cents an hour in pecan shelling plants in my State. People predicted havoc if we passed a 25-cent minimum wage just as they do when we take any progressive step in this field.

But it wasn't havoc. It was a substantial improvement for the entire Nation. I am very happy that the Congresses of recent years have recognized the necessity for upgrading and keeping these minimums in effect.

Mr. MEANY. All of these things are tied together—education, minimum wage, because, as you said before, people today want a better world. We want a better world, and I'm sure the common people all over the world want a better world. All these things help.

The PRESIDENT. The thing you have done, though, Mr. Meany, that I think is a great monument to the labor movement in this country, to your leadership, and I think to the Government as well, is the health program that we have been able to enact into law in the last few years, Medicaid and Medicare, and the some 20-odd supplementary health measures, because it doesn't make any difference how smart a person is, it doesn't make any difference how skilled a person is, if he is in poor health he is not very productive.

So we must take precautionary measures in the health field. We are doing that. In the last few years, as a result of the leadership that labor and its individual members have given to the country and to the Congress, we have been able to pass the Medicare bill and the Medicaid bill, and supplementary health measures that result now in millions of people having a means to pay their doctors' bills, and millions of people who never had means to pay their hospital bill before. They now do not have to rely on their children to take care of them.

Mr. MEANY. That's true.

The PRESIDENT. And we're not going to be satisfied to stop there. We see that because we do not arrest the disease early enough, it brings on great complications and costs us much more.

Mr. MEANY. You talk about health, and of course this leads you into another subject in which you are interested, and that is rebuilding the cities of America, because we have conditions in a number of our cities that are certainly, to say the least, unhealthy, and causing us a great many problems, and we, too, would like to see something done.

I hope that Congress is more cooperative in this coming session in going along with your program for helping the cities of America rebuild, because all of these things are tied together—the minimum wage, health, Medicare, urban renewal and all this sort of thing—and, of course, this brings us to a great big subject I am sure you must be interested in, and that is an overall housing program. Are we going to have an overall housing program this year? I hope we are.

The PRESIDENT. We are. The greatest challenge that this Congress faces, really, in the domestic field, is the problem of the cities. I have a commission that has carefully gone

into that and studied it. It is headed up by some of the ablest men in this country.

We know that the problems of the cities are many. First, we have some 500,000 hard-core unemployed people in those cities who are frustrated, that have no jobs, that have nothing to do. Our first problem is to try to find employment and training for that minimum, hard-core group that cause us problems in the cities.

The second thing is to get an overall housing program, certainly a program particularly for the poor, because we have had relatively a few thousand units built each year and there are more of them deteriorating and going out of date than new ones are replacing them. So we are having a minimum 10-year housing program where we hope that we can add not just a few thousand, but millions of homes for low-income people in this country.

We anticipate that this year we will have a minimum of 300,000 new homes, instead of the 35,000 or 45,000 that we have had for poor and low-income groups.

We must, Mr. Meany, find some way in this country to find a decent, a sanitary, a structurally sound house at as low a cost as possible for our poor and low-income groups. Now, if we can go to the moon, and if we can perform all these other feats of science, we have got to find the answer to low-income housing, and we haven't done that in our cities.

This Administration had a committee working under the direction of Mr. Edgar Kaiser. We are hoping that we can present to the Congress a program that the Congress will adopt that will launch us on a 10-year housing effort that will result in millions of new homes for the people who need them most.

Mr. MEANY. Well, I am sure that you find that the AFL-CIO will be back of you in this effort. Mr. President, education, housing, poverty, minimum wages, all of these things are related. But they bring to mind another question, and that is this question of crime, crime in the streets that people are talking about today. This, too, is one of your problems.

The PRESIDENT. Mr. Meany, that is one of the major problems facing this country. Now what are we going to do about it?

First, if we are going to do something about crime, we are going to have to do something about what causes crime. Unemployment, ignorance, disease, filth, poor housing, congestion, discrimination—all of these things contribute to the great crime wave that is sweeping over this country. We are going to through our poverty program, through our education program, through our conservation-recreation program, try to get at some of the causes of crime.

But in addition to that, the Federal Government cannot ever develop into a police state and have its base here in Washington. Our Founding Fathers protected against that when they wrote the Constitution. So this is a problem that begins first in the home with the parents.

Someone said to me when I was home during the holidays that it would be a good thing if all parents could say "Where are our children?" at 11 or 12 o'clock in the evening. What are they doing? Do the parents know?

So the problem begins at the home. And then if the laws are violated, the law enforcement is local law enforcement. The Federal Government cannot pick the Chief of Police in a given city. The Federal Government can't select the Sheriff. The Federal Government doesn't select the local judges. And law enforcement is a local matter, with the local people, in a local community, and in the State.

Now, we are doing everything we can to give the maximum amount of assistance to the cities and to the States. But, as I say, it is a problem of the home, it is a problem of

the local community, it is a problem of the State, and the Federal Government has many suggestions. It has recommended a gun control bill. It has recommended a Safe Streets Bill. It has recommended to provide research assistance and counseling with the cities and with the States.

But no one wants a Federal police force and the Federal Government cannot, by itself, control crime. It can only supplement what the local authorities do, and that we are going to do.

Mr. MEANY. Well, as I see it, it is a problem that has got to be approached in two ways: Number one, you have got to have law enforcement, because while we realize that it is the ghettos and the disease and the poverty that provide the atmosphere for this type of local crime, it is the people in the ghettos in most cases are the victims.

The PRESIDENT. They are the ones that suffer most.

Mr. MEANY. They are the ones that suffer most from these riots, from these crimes, and there are people with criminal minds who take advantage of these conditions. So I think what we have got to do, we have got to eliminate the conditions to whatever extent we can, and as rapidly as we can, but at the same time we have got to have respect for law, because if we don't have respect for law, we won't even be able to eliminate these conditions.

The PRESIDENT. I heartily agree with you, and I think that one of the most important bills that the Congress will have to face up to this coming year will be the Safe Streets Bill that I recommended last year, and I hope the Congress will enact this year; the Gun Control Bill; and the other measures that will get at the cause of crime and also provide a remedy.

Mr. MEANY. Yes, because just strict law enforcement might help, but it will not solve the problem. We have got to have law enforcement, and we have got to have a program to eliminate the conditions that breed crime in our cities. I think we have a two-pronged approach in this thing.

The PRESIDENT. If we attack the discrimination problem, if we attack the poverty problem, if we find jobs, if we can provide decent housing, if we can help rebuild our cities, we can get at some of these causes. But the local law enforcement has got to be done at the local level. This begins in the home. This begins in local conditions.

We can help them. We can supplement them, but we must not supplant them.

Mr. MEANY. I agree with you completely.

I would like to bring up one other subject that I think is important. Don't you agree with us that we can do all these things and still keep our commitments to the other nations of the world, to the free people of the world? You see, we are always up against this argument that, well, we can't support the efforts of the people of South Vietnam to retain their freedom and independence which we are committed to do—we can't do that and at the same time do all these things on the home front.

We think America is big enough to do both.

The PRESIDENT. America is big enough to do both. It can do both, Mr. Meany, and I believe that it will do both. This argument that is used that because we are trying to protect freedom in some part of the world we can't protect our people at home is a phony argument. It is an excuse.

Now, it is true that we do have to forgo some of the things. We can't do everything at once. We can't correct the neglect of centuries in a day. But we can try and we can make a start and we can get on our way. That we definitely are doing.

I am the father of two daughters. When I hear this argument that we can't protect freedom in Europe, in Asia, or in our own Hemisphere and still meet our domestic prob-

lems, I think it is a phony argument. It is just like saying that I can't take care of Luci because I have Lynda Bird. We have to take care of both of them and we have to meet them head on.

Here is a nation with more people employed than ever in our history.

Here is a nation with people working at better wages than ever in our history.

Here is a time when our profits are higher than ever in our history. Here is a time when we have had 82 months of prosperity in this nation. Here is a time when we have the greatest gross national product that we have ever had, and we are spending \$25 billion in protecting freedom in Asia. To say out of the \$800 billion we make, and the \$25 we have to spend in Southeast Asia, that the other \$775 shouldn't be used for the benefit of the people is just a very poor excuse.

We must educate our children. We can't neglect them. We must provide health for our people. We can't neglect it. We must provide conservation of our resources in this country. We cannot neglect that. We must find jobs for those who want jobs and who need jobs, and we are going to do it by encouraging private industry and the labor unions and the government to work hand in hand in these matters, as we have been in the more recent years past.

There is no group that has been more helpful to bringing prosperity to this country and to launching a program for the benefit of all the people of this country than the AFL-CIO under your leadership.

I am happy to say that the businessmen generally have tried to listen and to be cooperative. I am hopeful in the days ahead that we can enact through the Congress a job program, a housing program, additional education measures, provide for additional steps that we ought to take in the health field, and at the same time protect freedom.

It is just a bunch of balarney that we can take care of one need we have and have to ignore all the others. It's just the same as saying you can take care of one child and you can't take care of the other.

Mr. MEANY. I'm quite sure we have the same faith in America that you have; that America is big enough and strong enough to do this. Insofar as our commitments in Far East Asia are concerned, we in the trade union movement are very practical people. We know from experience what dictatorship means. We know it before anybody else knows it, because if anybody is going to dictate any place in this world he must control the means of production. They can wait awhile about controlling the artists or the scientists or the writers, but they can't wait insofar as the worker is concerned. They have got to control him immediately. This is what Hitler did. This is what Mussolini did and this is what Stalin did and Lenin, when they came to power 50 years ago in the Soviet Union. They took control of the workers.

So we are more keenly aware of what dictatorship means. This is why we feel that you just can't stand by and see two or three million people go down the drain and hope that that's the end of it, because we are convinced that if we step aside, if we withdraw from Vietnam, that you are not going to satisfy the appetite of these people who believe in dictatorship. They will move down Southeast, and the next thing you know they will be in the Philippines, and you know what that would mean to us.

So we are convinced that you are on the right track. The American trade union movement, as represented by the AFL-CIO, made it crystal clear at its last convention that we support the policy in Vietnam of fighting for the freedom of those people and that we also believe that we can do that and continue the Johnson program to make this a better nation for all of the American people.

The PRESIDENT. Mr. Meany, our people are peace-loving people. We seek no war. We want peace in the world. But we have learned

some things from participation in World War I and World War II and the Korean War and other disturbances in recent years, and that is that you cannot successfully appease an aggressor. If you run and if you hide and if you let aggression spread, the time comes when you must face up to it sooner or later.

Now, we have the will for peace. We have the machinery for peace. No one in the world wants peace more than I do. I live with war 24 hours a day. I read the casualty lists every morning. But I know that until the enemy, the Communist enemy, is willing to genuinely and sincerely sit down and talk about peace in good faith, that we shouldn't hold out all these illusions and these hopes that can't be realized to our people.

So the best road to peace that I know of is to remain strong, and remain firm, and do stand on principle. We haven't had an appeaser President in my lifetime. Every President that has preceded me has stood on the principle that when we were called upon to resist aggression and to perform under the treaties that this country had entered into, that the word of the United States could be depended on. As long as I am President, we are going to keep our word.

We are not going to let any of our nations who are bound to us by treaties and alliances be gobbled up by any would-be conqueror, any would-be dictator, while we stand by under an umbrella. Now, if they want to talk peace and if they will agree to self-determination in South Vietnam, we are willing to meet them at the conference table tomorrow.

We said in San Antonio, we will stop our bombing now if you will come and have a prompt discussion and a productive discussion in good faith. You can make all the proposals you want to. We will make our proposals. We will exchange views.

But they have not accepted that proposal. Now, I don't know how much further I can go. I don't think it would be in the interest of this Nation for us to stop bombing, only to have them to continue theirs. A bomb dropped from a bicycle can kill as many people as a bomb dropped from a plane. It is rather ridiculous for some of our people to say "You ought to stop bombing," and then when I say, "Well, will we have a prompt discussion?" they say, "We don't know."

We don't have that answer. "Will they have a productive discussion?" "Well, we don't know." "Will they talk about just North Vietnam? That's what's indicated. That problem is in South Vietnam."

So we must pursue and explore the meaning of these so-called offers so that we don't buy a pig in a poke and so we don't repeat the errors of Panmunjom and we don't let the Communists lead us down a road that we don't know where we are going.

Mr. MEANY. I think in exploring, Mr. President, we should also take into consideration the fact that every bombing pause we have had has resulted in an immediate Communist buildup that has cost American lives. So those who want us to stop the bombing, and stop it without qualification, I would like to ask them how many American lives do we have to lose before we start bombing again in case the Communists don't come to the conference table.

This is the problem, and I know this is your problem.

The PRESIDENT. It is, and we live with it every day. We have the professionals who have rendered great service in our foreign policy field for many years and they are taking every word that is said and exploring it in every place they can in an attempt to find a reasonable way to get to the peace table. But until the enemy is willing to go to the peace table, and is willing to say if you stop your bombing he will promptly come and talk, and that we can have productive

discussions, and that he will not take advantage of our restraint to put extra pressure on during that period, then I think that we would be endangering the lives of our men, and some men don't have that responsibility. But as Commander-in-Chief I do have, and I must take that into consideration before I make these decisions. We are going to continue to search every day for peace, but a peace with honor.

Mr. MEANY. I am sure that the American people are in agreement, Mr. President. They want peace, but they want peace with honor, and they don't want peace as a sacrifice of our good word and a sacrifice of our commitments that we have made.

On behalf of the American trade union movement, I can say to you we are with you in this effort. I want to thank you very much for giving us this time and letting us know what is on your mind, so our members can listen in and certainly get closer to you and your problems as a result. Thank you very much.

Mr. MEANY (continuing). As you have just heard, the President of the United States and we share the same views on the critical issues of the day. We share, as well, with Lyndon Johnson the same hopes and aspirations for a better America.

In a few short months, the American people will be going to the polls to decide these issues by choosing a President, a Vice President, and a Congress. They will decide whether we will march forward to new legislative victories or whether the gains we have already made and our unions which made them possible will be attacked.

As I have often said before, elections are not won in Washington. They are won back home. And they are won by you, the leaders of the labor movement.

So I urge you to start now. Get your registration drives underway. Collect the COPE dollars which are so necessary to the campaign. Make sure your members and their families and their neighbors know the issues, know the voting record of the candidates, know who is a friend and who is not, and get out the vote on election day.

In a very real sense, you, the leaders of the labor movement, will decide the 1968 election. I am confident you will do the job.

OREGON SHAKESPEAREAN FESTIVAL

Mr. HATFIELD. Mr. President, it was a pleasure to read Mr. Richard Coe's column in the Washington Post this morning and find a double tribute to the Oregon Shakespearean Festival at Ashland, Ore. Mr. Coe, one of the Nation's most distinguished drama critics, conveyed the high praise of Mr. Louis Wright, the retiring director of the Folger Shakespeare Library, and then added some favorable words of his own.

I therefore, wish to extend an invitation to all Senators and to all other citizens of our land to visit Oregon this year and attend the Oregon Shakespearean Festival at Ashland, Ore. The repertoire will include "Cymbeline," "Hamlet," "As You Like It," and "Henry VIII." The plays will be performed July 21 through September 8. I ask unanimous consent that Mr. Coe's paragraph be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOLGER TO OREGON

I was so intrigued by Louis Wright's amusing way of announcing his retirement as director of the Folger Library that I missed a later item in his always interesting annual

report: "The most effective presentations of Shakespeare that we have seen in many years were plays performed last summer by the Oregon Shakespearean Festival, at Ashland, Oregon . . . all presented as Shakespeare wrote them, without fancy gimmicks and without pretentiousness." All of which and more is praise from Caesar indeed and I welcomed it because I'm inclined to share the opinion. This company, over 30 years old, performs every summer and is a fine reason for chucking Europe and heading for Oregon. I'm sure its longtime Governor, Sen. Mark Hatfield (R-Ore.) will relish this salute to Oregon from the Folger's sharp Dr. Wright.

PRESIDENTIAL PANEL MAKES VALUABLE CONTRIBUTION TOWARD SOLVING THE NATION'S INSURANCE PROBLEMS

Mr. MCINTYRE. Mr. President, I have read with great interest, and I might say delight, the report recently issued by the President's National Advisory Panel on Insurance and Riot-Affected Areas.

The Panel made a very intensive study of all insurance problems in those areas. The facts accumulated prove beyond any argument that there are grave insurance problems in center city areas which demand the concentrated efforts of the insurance industry, the States involved, and the Federal Government.

I am particularly pleased that the report not only points out the problems, but also makes substantial recommendations which, if implemented, should go a long way toward solving them.

The recommendations were worked out in cooperation with the insurance industry, State insurance commissioners, and city officials. It is my understanding that all of these sectors of our society support these recommendations. Under these circumstances, we should have little difficulty in enacting the necessary legislation so that the program may be implemented in the near future. Indeed, many of the concepts in the report are the same as those contained in S. 1484, the small business crime protection insurance bill, which my Small Business Subcommittee of the Banking and Currency Committee has been working on. This fact should enable the committee to expedite the legislation necessary to implement the President's recommendations, since much of the ground work has already been done.

The responsibility for solving these insurance problems rests on the insurance industry, State and local governments, and the Federal Government. I urge that the Senate take speedy and affirmative action on the legislation to implement the President's proposals when it is introduced.

A BUSINESS EXECUTIVE LOOKS AT VIETNAM

Mr. HARTKE. Mr. President, the harsh events of the past few days in Vietnam have made the Nation more than ever aware of the magnitude of our problems there. I believe more than ever that we must have a change in policy, that we must leave no stone unturned in the effort to find a way to peace, even though it means abandoning previous positions taken by the State Department and the White House.

A tough-minded decision based on facts is often a necessity for a business executive, as Mr. Harold Willens, of Los Angeles, recently pointed out. Speaking as a businessman, he told the students and faculty at the University of Hawaii last December 5:

We (business men) simply cannot afford the luxury of self-deception. . . . Errors are permissible in the business decision-making process. What is not permissible is the refusal to admit error. For the life of me I fail to see why self-deception must be avoided like the plague in business affairs, but not in political or military affairs.

Mr. Willens, with whom I shared a television discussion recently, is cochairman of an organization, formed last fall, called Business Executives Move for Vietnam Peace. Its membership is now some 1,600. Each one in this group is a president, board chairman, or top-level executive. The other national cochairman is Mr. Henry Niles, of Baltimore, chairman of the board of the Baltimore Life Insurance Co.

Mr. President, I ask unanimous consent that the address by Mr. Willens be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A BUSINESS MAN LOOKS AT VIETNAM

(Address delivered by Harold Willens at the University of Hawaii, December 5, 1967)

Had I been invited to address you 6 months ago on the subject of Vietnam, a stranger walking in would be justified in assuming I was either a political or military expert dealing with related aspects; an academician speaking on the historical or ideological elements of our involvement . . . or possibly a theologian concerned with moral considerations.

You know, of course, that I am none of these. I am a business executive . . . a man blessed with the good fortune of substantial success in the challenging and fascinating world of business which constitutes one element of this great, free nation of ours.

What has changed within 6 months to explain the fact that, as a businessman, I might have something of interest and value to communicate for your consideration? The silence of the business community has been broken, and business executives . . . more than 1,500 already . . . have moved into the national dialogue on Vietnam: *that's what has changed*. Is that change a good thing?

I, of course, believe it is. Business leaders have contributed much to the growth and progress of our country. Business leaders are often dynamic, energetic people with good minds and excellent judgment. Should such characteristics and the contributions they can generate for the good of the nation be withheld simply because the problem at hand is a controversial one?

Or is it reasonable to believe that difference of opinion regarding Vietnam exists among all Americans . . . except businessmen? Such a thought is patent nonsense. Therefore, if business leaders remained aloof and apart from this most critical problem of our time, it would be reasonable to regard them as irresponsible or afraid. But businessmen have not remained silent, as my being with you today indicates.

It would be fair for any one to ask: Is there anything useful which the business community can add to the Vietnam debate? I think there is.

In the decision-making process of businessmen there always is, or always ought to be, an element which is too often lacking in the political and military decision-making

process. In saying this, I do not imply that businessmen are somehow blessed with superior wisdom or superior . . . anything. Not at all. I am saying rather, that external circumstances force upon business decision-makers a behavioral pattern I can only describe as self-honesty. We simply cannot afford the luxury of self-deception. If we kid or con ourselves into believing we cannot be wrong, the competitive market place or its equivalent will quickly . . . and painfully . . . show us that we were wrong after all; and that we were stupid not to recognize or admit that we were wrong. Errors are permissible in the business decision-making process. What is not permissible is the refusal to admit error . . . a blind, stubborn clinging to that which hasn't worked. It matters little whether the refusal to change results from lack of ability to conceive an alternative plan, or from a passionate love-affair with one's own idea.

The classic example of the point I make is, of course, Ford's experience with the Edsel. Mr. McNamara and his highly paid experts were not fools because they conceived, designed and built the Edsel. In the human enterprise it is natural to make mistakes . . . even for highly paid experts. But Mr. McNamara and his people would have been fools if they had refused to admit their mistake.

They acted as businessmen always should and indeed always must if they want to avoid corporate oblivion. Ford's decision-makers faced reality. They admitted they were wrong. They killed their own brainchild. They took a huge financial beating . . . and they also took their company on to a bigger and better future.

Had they stubbornly refused to believe they could be wrong, they would have compounded their (quite human) error from a loss of money to the death of a giant corporation. That is what I mean by the self-honesty which characterizes decision-making among successful business-leaders.

Perhaps I am dense. But for the life of me I fail to see why self-deception must be avoided like the plague in business affairs . . . but not in political or military affairs.

Let us now turn to these.

To link political and military matters with my Edsel example I should like to remind you of a curious and interesting fact. On August 25th last, testifying before the Senate Preparedness Subcommittee, Defense Secretary Robert McNamara stated flatly that in his opinion Hanoi could never be bombed to the negotiating table. He said this, mind you, as one of the men responsible for the decision to bomb North Vietnam, and knowing that one of the main objectives of the bombing was to force Hanoi into negotiations.

This man from the business world was doing what comes naturally to men of the business world. Let us stop dreaming, he was saying. Let us face reality. He said it about the Edsel. He said it about the bombing. To my knowledge Mr. McNamara is the only man in the top decision-making group who is a product of the business world, where it is often less important to be a genius than to have the guts to say: I was wrong. Perhaps Mr. McNamara's resignation stems from the futility of working with people so obsessed by passionate self-righteousness that they are incapable of saying: I was wrong.

At this point I should like to make something quite clear to you. Business Executives Move for Vietnam Peace wants, in Vietnam, exactly what our government wants: *negotiated settlement*. Not precipitous, unilateral withdrawal. *Negotiated settlement*. In our considered viewpoint, only fools and madmen think in terms of "military victory", in this situation. Senator Thruston Morton of Kentucky was the main speaker at our inaugural Meeting September 27th in Washington. We believe he was right when he said:

"Total military victory in Vietnam means total war with China and . . . total world holocaust."

Believing Senator Morton is right explains in part why we accept our government's objective, but do not accept the present policy of reaching for that objective. To strive for negotiated settlement by risking "total world holocaust" seems to us irresponsible as well as unproductive. But there is another reason for which we reject the present policy of continued escalation and particularly the continued bombing of North Vietnam. And that other reason has to do with our way of life as businessmen: with our way of making decisions.

We've bombed the north for 34 months. Each month, each bomb, seems to take the possibility of negotiations farther away, rather than bringing it closer. Responsible American newsmen, as loyal as you and I, report from personal contact that Hanoi will never negotiate while the bombing continues. The North Vietnamese seem to react as we Americans probably would in similar circumstances . . . and as the British did when Hitler tried to bomb them into submission. That shouldn't surprise, proud, independent people like us. Not if we stop spinning idle foolish dreams and realistically regard the facts.

The facts indicate, when the myths and fables are moved aside, that continuation of the bombing at this point makes no sense. One of the myths which obscures facts is this: Cessation of bombing would constitute betrayal of our troops. American casualties would increase.

Listen to these statistics, my friends, recently received from our Defense Department, but not well publicized:

In 1966 we flew 23,577 bombing missions and dropped 512,000 tons of bombs. U.S. casualties for the year were 36,146.

In the first 8 months of 1967, 24,488 missions (more than all of 1966) dropped more tonnage than for all of 1966.

U.S. casualties through September 23 were 55,139, more than all of 1966, and if projected to year end at the same rate, that means twice as many U.S. casualties as in 1966.

Again, I may be dense. But my experience in working with facts and figures—rather than myths—leads me to conclude from these Defense Department statistics that the more we bomb the North the more young Americans are wounded and killed. This conclusion is further supported by statistics showing that during the 3 previous bombing pauses, for an over-all total of 7 weeks, American casualties were sharply reduced.

As someone has quipped: giving up bombing the North is as much of a sacrifice as giving up cancer!

What might we gain, on the other hand? Kossygin, whose country provides 80% of the North Vietnamese supplies and materiel, has told our President that cessation of bombing would lead to negotiations. U Thant has said the same, as other responsible world figures have done.

In this kind of situation, with a possibility the alternative might work . . . and a guarantee that the present policy has failed . . . I can tell you what course business decision-makers would choose. But apparently at least a few political and military leaders are caught in the paralysis of unchanging rigidity. They can't believe what hasn't worked really hasn't worked.

Secondly, our group urges de-escalation of the ground war. On November 26, the L.A. Times informed us that "though Saigon military information officers were still quoting a figure of 83 Americans killed in the battle for Hill 875 Army Doctors and other reliable sources put the number of American soldiers killed at a minimum of 135. They should know: they had seen the broken bodies".

The article goes on to ask "why last week's

bloody battle for an undistinguished piece of terrain defended by well dug-in North Vietnamese soldiers?" The answer given by "the senior man on the ground" was: "because the enemy was there".

We believe that sacrificing American lives is too high a cost for an objective consisting of "an undistinguished piece of terrain". We believe, in other words, that search-and-destroy is a policy which makes no sense in a limited war seeking negotiated settlement as its ultimate objective.

As our third and final point we urge a clear, unequivocal statement that we will negotiate with all fighting parties. That means the NLF as well as Hanoi.

There is nothing original about our three-point alternative to the present, bankrupt policy of continued escalation. What is new is our insistence that the objective, impersonal and pragmatic flexibility which underlies business decision-making ought to be a part of the Vietnam policy decision making process.

We are, as you are, stockholders in the great American dream. We believe it may be transformed to nightmare by the rigid inflexibility of a few men. We remind these few men that elected and appointed officials in a Democracy are supposed to serve—not rule—their people. These few men could be wrong. Along with many distinguished Americans who served our nation as military and political leaders, we believe that these few men are wrong.

It is our hope that by speaking out with clarity and courage—and supported by facts rather than myths—we may achieve these objectives: First, remind our nation that unlike other wars, we did not march into this one with a clear sense of mission and a high sense of purpose. A little at a time we slipped and stumbled into and there are few if any who do not wish we'd never taken that first wrong step.

Second, persuade our people and our government that—as in a bad business deal—there is always a way out. This great nation must never fall victim to the foolish, dangerous notion that we cannot find solutions to problems.

Third, convince the business community and all Americans that extrication from Vietnam must begin with a change of attitude in Washington. If a substantial segment of the business community, which is undeniably practical, undeniably respectable, undeniably loyal . . . responds to the challenge, the necessary change of attitude in Washington may well develop.

If it does, we shall have made the wisest, most useful, investment of our money, our time, our effort.

And for that investment we shall have been richly rewarded.

SERMON DELIVERED AT COMMEMORATIVE SERVICE FOR RECONVENING OF 90TH CONGRESS

Mr. PELL. Mr. President, this past Sunday, January 28, I attended the commemorative service for the reconvening of the 90th Congress at All-Souls Memorial Episcopal Church.

Our colleague, Senator MONRONEY expressively read the Scripture lesson.

The sermon was given by John Sharon. This sermon with its emphasis on the need for courage and optimism as well as its forthright discussion of death—the common denominator that faces us all—made such a strong impression on me that I would like to share it with my colleagues.

For this reason, I ask unanimous consent to have this moving message placed in the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

Dr. Blackwelder, Mr. Hewlett, Senator Monroney, members of this magnificent Choir and friends: I deeply appreciate the very kind and thoughtful remarks of our rector. I was very pleased when Dr. Blackwelder invited me to return this year because after last year's service, I received a couple of letters that made me a bit apprehensive:

One Member of Congress wrote that last year's service made him feel "humble and inspired" and reminded him of the quotation of a famous New York judge who once said, "No man's life, liberty or property are safe, so long as the Congress is in session . . ."

And then there was a woman visitor from San Francisco who wrote, "Your sermon reminded me of the story of the two hippies who were walking down the street; they came upon a nun whose arm was in a sling. They stopped to ask her what happened, and the nun replied, 'Well, if you must know, I slipped in the bathtub and broke my arm.' The two hippies looked at each other, said nothing, and walked on. About a block down the street, one of the hippies turned to the other and said, 'What's a bathtub?' And the other hippie replied 'How would I know, I am not a Roman Catholic.'"

And the woman added, "I don't know why your sermon reminded me of that story, but it did." Perhaps that story came to her mind because ours is a church for "all souls."

And we at "All Souls" extend a very cordial welcome today not only to the leaders of our country but to men and women of all faiths throughout the world within the reach of the Voice of America at this special service to commemorate the reconvening of the American Congress.

A few weeks ago, I was talking to a Member of Congress and during the course of the conversation, I wished him a Happy New Year. And he replied, "What's so happy about it?" I thought he was joking at first, but the more I talked to him, the more I realized how serious he was. "This is an election year," he said. "The people back home don't appreciate how hard I have worked, or what I have tried to do for them. They are restless and bitter. They're frustrated over Viet Nam and the high cost of living. They are fed up with crime in the streets, riots in our cities." He said, "I know I am not responsible for all of this, but they think I am. Frankly, I'm scared to death. I've just about given up all hope."

"Scared to death"—"given up all hope."

Here was a prominent, well educated public official, elected by the people to do the best job he knew how, whose conscience told him he had fulfilled that mandate, yet he faced the future with such despair and such fear.

We all know that there are men and women in all walks of life whose energies are dissipated by haunting fears. They become afraid of life and afraid of death. And because they can't manage their fears, they become like this Congressman, half afraid of themselves. There is not one of us who has not at some time in his life been anxious or oppressed by fear, especially the fear of death.

But today in the twentieth century, at an hour when our patience is being tested in Viet Nam, North Korea and elsewhere, at a time when more and more nations are developing the means of mass destruction of the human race, it is essential for each of us to face up to the problems and the perils of fear.

Of course, healthy fear is a valuable asset for it can protect us and cause us to invent ways and means of overcoming all kinds of threats and dangers that otherwise could harm us. But compulsive fears—especially the compulsive fear of death—fears that oppress, that create anxiety or panic, that

paralyze every thought or action are harmful. They are harmful to us as individuals; they are harmful to us as a nation.

It is appropriate, therefore, that this morning's Scripture comes from the 14th Chapter of the Gospel according to St. John:

"Jesus said, 'Let not your heart be troubled; you believe in God, believe also in me. In my Father's house are many mansions: if it were not so I would have told you. I go to prepare a place for you, And if I go and prepare a place for you, I will come again, and receive you unto myself, that where I am, there you may be also . . .'"

This is one of the most familiar passages of the Bible. And yet there are some amongst us who think that it is all too familiar and they prefer not to hear it all. *Why* is this?

Because it is this Biblical passage that we hear so often at a time of sadness in our lives. We hear it read at funerals. It is found in our book of Common Prayer in the Order of the Burial of the Dead. So some of us dread it . . . simply because we cannot bear the thought of death . . . the inevitability of death . . . the fact that all too soon, at a time and place unknown, each of us must go to face his Maker. We cannot bear the thought of "losing" someone we love . . . especially if that someone is one's self.

There are too many of us, like my friend in Congress, who have a defeatist attitude. When something unpleasant looms over the horizon, we tend to turn our backs and run, or we look the other way. We become anxious or terrified. We turn inward: Faith is displaced by distrust; hope by despair; joy by sorrow.

Consumed and engulfed by fear, we lose sight of the meaning and purpose of life; of why God put us here on this imperfect but Blessed earth.

What *can* we do about this? How does one put his spiritual house in order?

First: we must learn how to face and conquer our fears, especially our fear of death; and

Second: we must look forward to death as an episode, an adventure, an opportunity, a true joy in our Christian life.

There are, as you know, several kinds of fear and each of us, if he were honest with himself, would have to admit to having experienced almost every kind.

There is the *fear of failure*; to fail at something, whether it be a failure in business, a job, in school, in marriage, in an election or to fail as a parent or grandparent is a threatening prospect for many of us. None of us likes to fail at anything . . . but then who of us is perfect?

There is the *fear of physical harm*, be it sickness, injury, or some form of bodily disability. None of us likes to be injured or sick, but who can say he has not experienced it?

There is the *fear of want*, the fear that food or clothing or shelter will be beyond the grasp for you and your loved ones. How sad it is that so many millions of our fellow men—at home and abroad—live in poverty, engulfed by this fear.

There is the *fear of loneliness* . . . the fear of being alone and cut off from the joys and the loves we cherish that make life worth living. But who can say he has never been lonely.

Then there is the *fear of death* . . . the most basic fear of all. How tragic and absurd it is that so many of us are crippled by this fear of the inevitable. To those who are so crippled, death represents the ultimate failure, the ultimate disability, the ultimate loneliness. Sometimes some of us experience this fear openly:

If you are a soldier in the jungles of Viet Nam; or a crewman on the decks of the Pueblo;

if you are very elderly and know your time is limited;

or if you are seriously ill and know that for you life hangs in the balance. This is the fear that sends cold chills up and down

your spine, as you face imminently an end which will cut you off from life as you know and love it, a life which others, but not *you*, will continue to enjoy.

The *unhealthy* fear of death manifests itself in other forms;

in an excessive concern for bodily health; in a frantic attachment to material things, as if money is man's only god;

in an excessive anxiety about every thing or every event in life, as if worry were man's daily bread.

Some of us are so consumed by fear, particularly the fear of death, that we are almost overwhelmed by it, failing to realize that fear shuts out the joy and the love that God intended us to have.

But we must never lose sight of the fact that God gave us the wherewithal, the Faith, the insight, to conquer our fears, the quiet but determined courage to fight back against what might appear to each of us to be *impossible odds*.

Poets down through the ages have described it in various ways, but in modern times is there any more eloquent expression of this faith and courage than in that wonderful song from "The Man of La Mancha"?

"To dream the impossible dream,
To fight the unbeatable foe,
To bear with unbearable sorrow,
To run where the brave dare not go.

"To right the unrightable wrong,
To love, pure and chaste, from afar,
To try, when your arms are too weary,
To reach the unreachable star!

"This is my quest: to follow that star,
No matter how hopeless, no matter how far;
To fight for the right, without question or pause:
To be willing to march into Hell for a Heavenly cause!

"And I know, if I'll only be true to this glorious quest,
That my heart will lie peaceful and calm
When I'm laid to my rest . . .

"And the world will be better for this,
That one man, scorned and covered with scars,
Still strove, with his last ounce of courage,
To reach the unreachable star!"

This past year, we saw a dramatic example of this determined faith and courage. Do you remember what Joseph Stalin's daughter said after she severed the bonds of her oppression, overcame the fear that engulfed her and "ran where the brave dare not go"? "I found," she said, "that it was impossible to live without God in one's heart."

" . . . impossible to live without God in one's heart."

Another example in modern history occurred twenty-five years ago when thousands of Nazis were poised on the Greek border ready to strike and the Government of that brave little nation had to decide whether or not to fight against impossible odds. Later, when the Greek Prime Minister was asked about this decision, he said, "For me and my people, it was not a difficult decision. After all, to us, death is but an episode, another adventure on life's road."

Earlier in this service we recited the Apostle's Creed.

"I believe in God, the Father almighty, Maker of Heaven and Earth, and in Jesus Christ, His only Son our Lord.

But the Creed is something *more* than an expression in our belief, more than a reaffirmation of our faith; when we recite the Creed we testify to the *historical events* through which God made known Himself to us: the historical fact of Christ's birth, His life, His death upon the cross and His glorious resurrection. To each of us here and everywhere, death *can* be another episode, an adventure, an opportunity, a joy, if we will but accept the historical *fact* that Christ rose from the dead for your salvation and mine.

Do you remember the story of Little Tommy, the six-year-old boy who one day asked his mother, "Mommy, what happens to us when we die?" and his mother replied, "Do you remember what happened yesterday? All day long you were busy playing or working hard. Like everyone else, you got very tired. You came into the house and fell asleep on the sofa.

"When your father came home and found you asleep, he took you into his arms and carried you up to your bedroom. When you awoke this morning, you found yourself in a different room than that in which you fell asleep.

"So it is with death," she said. "When death comes, one goes to sleep and when you awaken, you find that the Heavenly Father has taken you to another home, another room, another mansion, more beautiful than where you fell asleep."

And after the mother had finished her explanation, Little Tommy said, "Thank you, Mommy. That sounds like fun."

If that child would but keep his faith and always look upon death as "fun," as an episode, as a glorious adventure, he will never be oppressed by death's fear.

"Jesus said, 'Let not your heart be troubled. You believe in God, believe also in me. In my Father's house are many mansions; if it were not so, I would have told you. I go to prepare a place for you. . . .'"

Contrast Little Tommy's faith in the future with the young businessman who one day was driving hurriedly to his office. He felt a pain in his chest and thought it wise to stop at his doctor's office. By the time he reached there, the pain was more acute and he collapsed on the examining table. Moments later, when the doctor confirmed that this young man had had a heart attack, he sank into a state of shock and intense fear. As he was being wheeled to the hospital on a stretcher, an attendant tried to comfort him with conversation. He asked her to be quiet. "Don't you understand? I have had a heart attack, a heart attack." When he got to his hospital room, he told the nurse he didn't want to see anybody and asked her to pull down the shades so he could commiserate in the darkness. Engulfed in fear, he became depressed, turned inward, and hostile towards the doctors and nurses. "Why did this have to happen to me?" he asked. "Why do I have to die so young?" For two days he lay in a state of shock, hating, and fearing the world and everyone in it. And then without notice, a friend came silently into his room, opened his clenched fist and into his hands placed a crucifix, a little cross. When the friend withdrew from the room, he could see in her eyes that someone cared, someone was concerned, someone was praying for him. Alone again, he looked at the cross and thought of Christ on Calvary. He asked himself, "I wonder if Christ ever knew fear?" And then he thought of all that Jesus had to fear as Jesus anticipated what His enemies would do to Him. Of course, Christ was scared. The prayer in Gethsemane, "Lord let this cup pass from Me" revealed that Jesus experienced fear like everyone of us. But Jesus faced it coldly and courageously, and with trust in God, He conquered it: "Lord, not My will, but Thine be done." But then when Jesus was nailed to the cross, the fear returned: "My God, My God, *why* hast Thou forsaken Me?" But again He conquered as He said finally, "Father, into Thy hands I commend My spirit."

As this patient studied the cross and contemplated the fears, the faith, the trust and the courage of Jesus on the cross, he mustered all the strength he possessed and lifted that cross of Christ as high as his arm would stretch. And he whispered to himself and to God:

"Yea, though I walk through the valley of the shadow of death, I will fear no evil; for Thou art with me; Thy rod and Thy staff they comfort me."

And then he rang for the nurse to have the shades raised so the sun could dance once again in his heart.

Yes, this patient recovered. But what would have happened to him had he not a key to unlock the gate to his heart to let the love of God and the faith and trust of Jesus Christ flood his soul and give him a fresh will to live?

He was saved and surely, he is grateful for it, and now is better prepared to face his Maker.

But there are so many of us today who have yet to see the light; who live in the darkness of our deepest fears; if only they would turn to the Master, the Comforter, the Healer of us all:

"Jesus said, 'Let not your heart be troubled. You believe in God, believe also in me. In my Father's house are many mansions. If it were not so, I would have told you. I go to prepare a place for you. . . .'"

One of the saddest facts of life is that fear, if unchallenged, knows no boundaries; it lives with all of us at home and abroad. Fear is color-blind; it does not discriminate. It affects individuals; it affects people; it can overwhelm a nation. As a nation we have always been on guard to threats to our liberty—be they from within or without. But some fears are unhealthy and we should not let them divert us. For example, there are some here in America who think that there is something evil, something menacing, something inherently wrong about another nation getting to the Moon before we do. Recently, Dr. Von Braun, when he testified before Congress, was asked what he expected to find on the Moon when we did get there, and he replied, "Russians." I have often wondered what would be the impact on the world if when the Russian spacemen do return from their first visit to the Moon and are asked, "What did you find there," they reply, "Christians." Perhaps then this mad race to the Moon could take on a new purpose; that we as a nation so committed to the love of God would hasten to proclaim this identity to all the universe by planting the cross of Christ on the Moon's highest crater! An impossible dream? An unreachable star? Perhaps. I do not know. But I do know that in this age of tension and turmoil the world is looking to us for some answers. And in a nation that is racked by so much hate, disobedience, rebellion, injustice and bad manners, quick and simple solutions to the problems of the world cannot come easily. A nation is only as great as its people; and our people—you and I—if we are to "bring in the day of brotherhood" must recommit ourselves to an absolute trust in God and to the teachings of Jesus Christ. The hour has long since come for a new identification with Jesus; a commitment that will permit His commandments to so direct, sanctify, and govern our lives that we may, in our time, perfectly love Him and worthily magnify His Holy Name.

So dedicated and so committed, we, as individuals and we as a nation, will be better prepared to fight any foe, bear any sorrow, right any wrong, conquer any fear.

Last year a beloved member of this parish took a long and uncertain journey to the Mayo Clinic for major surgery. When he was recovering in the hospital, a friend sent him this anonymous quotation:

"Let death's wings brush you . . .
Lightly but definitely . . .
And then you will know what it is to live."

What is it to live?

To live is to love without fear: "to love the Lord thy God with all thy heart and with all thy soul and with all thy mind; and to love, with limitless love, thy neighbor as thyself."

To live is to give without fear: "to give of one's self to others and to God, knowing

that on this earth God's work must be our own."

To live is to know without fear: "to know that wherever you go and whatever you do, God holds you in the hallow of His hand; and that whatever your problem, whatever your fear, Jesus is ever in your presence to attend you."

And finally, to live is to join without fear: "to join with the committed peoples of the world, as we do here this morning, as we look to our chosen leaders and say,

"Rise up, O men of God;
His kingdom carries long;
Bring in the day of brotherhood,
And end the night of wrong."

"Lift high the cross of Christ,
Tread where His feet have trod;
As brothers of the Son of Man,
Rise up, O men of God'."

Let us pray.

FINAL PRAYER

O Lord, make us instruments of Thy peace. Where there is hatred, let us sow love.

Where there is injury, pardon. Where there is doubt, faith. Where there is despair, hope. Where there is darkness, light. And where there is sadness, joy.

Grant that we may not so much seek to be consoled as to console. To be understood as to understand. To be loved as to love.

For it is in giving that we receive. It is in pardoning that we are pardoned. And it is in dying that we are born to eternal life, Through Jesus Christ, our Lord. Amen.

THE SELF-PROCLAIMED WONDROUS ACHIEVEMENTS OF OFFICE OF ECONOMIC OPPORTUNITY

Mrs. SMITH. Mr. President, from time to time I have received reports from the Office of Economic Opportunity on its self-proclaimed wondrous achievements.

From time to time officials of the Office of Economic Opportunity have vigorously proclaimed an alleged nonpartisan and nonpolitical character despite the policy of the Johnson administration to give the faithful Democratic Members of the Congress advance notice on the Government largesse actions ahead of the Republicans so that the Democrats can take credit for all of the wondrous benefits going to the congressional districts and the States.

But I have had a recent communication from the Office of Economic Opportunity on which they really outdo themselves on wondrous achievements and claimed nonpartisanship.

I have received an envelope from the Office of Economic Opportunity addressed to the Honorable Margaret C. Muskie, House of Representatives, Washington, D.C. 20510.

This surely must be the ultimate in the OEO's great vigor and effort for nonpartisanship. It is a tremendous blending for it not only blends a Republican Senator with a Democratic Senator, but it even makes the great stride of blending the Senate with the House in placing this newly created Republican-Democratic Senator in the House of Representatives.

Actually I wonder whether this was a Freudian slip or whether the OEO was spoofing me.

Whatever it is, the OEO has produced a combination that all other Federal agencies will be hard put to equal.

One might not exactly cite the OEO for accuracy, but one surely must marvel at the breathtakingly creative imagination of the OEO in this latest example of its all-out effort for nonpartisanship.

DEATH OF EDWARD J. KELLY, FORMER NATIONAL COMMANDER, AMERICAN LEGION

Mr. DODD. Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Hartford Courant, Tuesday, January 23.

It is the report of the death, at age 76, of Edward J. Kelly, a former national commander of the American Legion and a former Connecticut State representative.

I was long privileged to know Ed Kelly as a dear personal friend.

He was a great American in the finest sense of the word. He loved his God, his country, his family, and his friends. He served all well.

He served, particularly well, the interests of all his former comrades-in-arms; not only the members of the American Legion, to which he dedicated so much time, effort, and service, but, through that effort, all veterans of the Nation's wars.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EDWARD KELLY DIES AT 76—EX-STATE REPRESENTATIVE

Edward J. Kelly, 76, a former national vice commander of the American Legion and a former state representative, died Monday at the Rocky Hill Veterans Hospital.

He had served since 1957 as a member of the Rocky Hill Home and Hospital Commission. He was its treasurer, chairman of the committee on personnel, vice chairman of the committee on buildings and grounds and a member of the hospital's executive committee.

He was named to the commission by former Gov. Abraham Ribicoff for an eight-year term and was reappointed by Gov. Dempsey in 1965.

He served as the Democratic representative to the lower house from the town of Sprague in 1963 and 1965.

He was a close friend of State Rep. Rubin Cohen, D-Colchester. When the state's voting districts were re-apportioned in 1965, Mr. Kelly and Cohen were placed in the same district.

Mr. Kelly would not compete for the nomination for representative against Cohen because of their long-standing friendship. Instead, he sought the nomination for Senate from the 19th District, but was defeated.

He had no bitterness, however, and still maintained his love for politics and the Democratic Party. In the last session of the Legislature, he served there as a sergeant-at-arms "because he enjoyed being there," a friend said.

He was so pleased at being a representative, as a matter of fact, he chartered a bus and brought all of his 43 grandchildren to the Capitol one day during the 1965 session to watch him and his colleagues at work.

Mr. Kelly was a gentle, soft-spoken man who enjoyed the intricacies of politics. He was a retired Railway Mail Service employee. Before his retirement in 1953, he could only watch from the sidelines, and his spare time was spent in American Legion activities. He served as state commander in 1953 and 1954. After his retirement, however, he became active in local politics and served as a member

of the Sprague Democratic Town Committee until his death.

He made his home at 8 Brookside Ave., Baltic, but had lived in Taftville most of his life. He was a widower and leaves a brother, Thomas Kelly of Worcester, Mass.; a sister, Mrs. Daniel Porter of Catonsville, Md.; three sons, Edward J. Kelly Jr., of Rocky Hill, John F. Kelly of Taftville and Thomas V. Kelly of Norton, Mass.; and five daughters, Mrs. Jim Meehan and Mrs. Leonard Costello of Uncasville, Donald Tweedy of Norton, Mass., Mrs. Fred Gale of Preston and Mrs. James Osten of Norwich.

The funeral will be Thursday at 10:15 a.m. at the Doherty Brothers Funeral Home, 129 Providence St., Taftville. There will be a Requiem Mass at St. Mary's Church in Baltic at 11 a.m. Burial will be at St. Joseph's Cemetery, Norwich. Calling hours are today from 7 to 9 p.m. and Wednesday from 2 to 4 and 7 to 9 p.m.

THE BENNETTS OF CRANSTON

Mr. PELL. Mr. President, all Rhode Island is proud of the Bennetts of Cranston, our State's No. 1 sports family. Mr. and Mrs. John Bennett, active sports enthusiasts themselves, have six sons, each of whom seems set on outdoing the other in the garnering of championships and trophies.

An article published recently in the Providence Evening Bulletin highlighted the accomplishments of the sports-minded Bennetts. I ask unanimous consent that this tribute be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BENNETTS OF CRANSTON RATED STATE'S No. 1 SPORTS FAMILY
(By Bill Parrillo)

The selection this week of John Bennett as Rhode Island's top schoolboy athlete for 1967 almost could be called just another in a long line of outstanding accomplishments by a most outstanding sports family—the Bennetts of Cranston.

There are eight of them—Harvey and Diane Bennett and their six sons, Curt, 19; John, 17; Harvey Jr., 16; Billy, 14; Jimmy, 10; and Peter, 6. And, as sports family "teams" go, they probably would have to be rated No. 1.

It borders on the amazing. A quick tour through the Bennett home and you'll see why.

On proud display are several All-State schoolboy awards for either hockey or tennis, numerous championship trophies and assorted other plaques for membership on championship hockey teams at all levels.

TWELVE YEARS

And then there's the contributions of Harvey Sr., for 12 years a star goaltender for the R.I. Reds. It's only a slight exaggeration to say the Bennett's living room easily could be mistaken for a trophy outlet.

And how has this affected everyone?

"We're very proud naturally," says Harvey Sr. "But you also have to be a realist and know that you can't win all the time. It's the effort and dedication that counts."

If it's effort and dedication that counts, then chalk one up for the senior Bennetts.

Mrs. Bennett has been active for several years as a member of various women's sports auxiliary groups in Cranston. It was she who first interested the boys in tennis.

THE WATCHERS

"I thought they should have an interest in another sport besides hockey and tennis is a good conditioner, requiring a great deal of concentration," she says.

Harvey Sr., an automobile salesman, heads a hockey school and frequently takes pee-wee teams on trips to Canada for games against

Canadian youngsters. And, of course, every chance they get, they watch their sons compete.

A typical Saturday a few weeks ago went like this: In the morning, they watched Jimmy play in the Edgewood Hockey Association at the Cranston Ice Bowl. Later, they saw Billy play in the goal for the Mickey Stevens team in the CLOF organization.

Then, in the afternoon, it was a trip to Dedham, Mass., to see John play for Choate Academy against Noble & Greenough. That night, it was Curt, a sophomore at Brown, playing against Harvard at Cambridge.

THE AWARDS

"And you know, Harvey Jr. was playing that night for Cranston East but, of course, we just couldn't possibly make that game," Mrs. Bennett said with a laugh.

To give you just an idea of how things have gone lately in the award-taking department, consider:

Curt, a standout at Brown, was a schoolboy All-Stater in both tennis and hockey and later was named Journal Honor Roll Boy by these newspapers for academic and athletic excellence.

John, also a tennis and hockey All-Stater, recently received an award for general athletic excellence by a New England tennis group, in addition to his R.I. schoolboy-athlete award.

And Harvey Sr. was installed as a member of the Reds' Hockey Hall of Fame a few months ago.

The elder Bennetts have been residents of Rhode Island the last 19 years, both being natives of Regina, Saskatchewan province in Canada. Although neither attended college, they hope all their sons do.

"We'd like to think our boys will be all student-athletes and not only athletes," Harvey Sr. says. "Sports are fine but you have to work the sports in with the education and not the other way around."

"We will have two boys at Brown next year and I hope they all go there if they are qualified," Mrs. Bennett says. "Rhode Island has been good to us and we think Brown is a fine school."

And how do you go about keeping six young equally satisfied? Harvey explained it best:

"What No. 1 gets, No. 6 gets. It's that simple."

SAM CHARLSON, MANHATTAN, KANS.—MAN OF THE YEAR

Mr. PEARSON. Mr. President, at the 50th golden anniversary banquet of the Chamber of Commerce of Manhattan, Kans., Sam Charlson was named "Man of the Year."

It has been my opportunity to know Sam Charlson for many years. We served together in the Kansas State Senate, and I have had the opportunity to know of his public service to the school board, the city commission of Manhattan, and in the State legislature. He represents the very best of Kansas. His long years of service are only a part of the full and meaningful and rewarding life of Sam Charlson. I am very much pleased that the Manhattan Chamber of Commerce would honor him in this manner.

I ask unanimous consent, Mr. President, that an article, entitled "Charlson Is Named 'Man of the Year,'" published in the Manhattan Mercury, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHARLSON IS NAMED "MAN OF THE YEAR"

Sam C. Charlson was named "Man of the Year" Friday night at the Manhattan Cham-

ber of Commerce's 50th Golden Anniversary banquet meeting in the K-State Student Union.

Charlson, 77, of Charlson and Wilson abstractors and insurance agency, received the award from the Chamber's outgoing president Lowell Jack.

"Sam has always been for things—like the airport and Sunset Park and Zoo," said Jack. "He has always had great interest in people, particularly those who need help."

Charlson was born in Lake Mills, Iowa, graduating from the University of Iowa in 1914. He came to Manhattan in 1920 as bookkeeper, credit manager and advertising manager of Stevenson's Clothing Store.

Charlson's past achievements are many. He has served on the Manhattan School Board (1927-1930); been finance commissioner of Manhattan (1930-1951); state representative from Riley County (1952-1956); and state senator (1956-1960).

He's a charter member of the Manhattan Kiwanis Club and has served on the Board of Directors, served as director of the Manhattan Chamber of Commerce, been on the Board of Directors at the Manhattan Country Club and served as secretary-treasurer of the club from 1928-1947.

Charlson is also on the board of directors for the First National Bank, Manhattan Mutual Life Insurance Company, Upland Mutual Insurance Company, Home Savings and Loan Association where he is currently chairman of the board.

Charlson has served as president and secretary of the Riley County Historical Society where presently he is director of the Historical Society of the state of Kansas.

He has served many times on the board of trustees of the First Methodist Church and is presently a member of that board. A member of the Elks Club, Masonic Lodge, and Modern Woodmen including several other organizations in Manhattan.

The Charlsons have three children, Col. William E. Charlson, now stationed in the Pentagon, who graduated from West Point in 1944; two daughters, Mary, wife of Col. John T. Pierce, U.S. Army Retired, and Anne, wife of Dr. F. H. Oberst, head of the Veterinary Clinic at Michigan State.

Both daughters and husbands are K-State grads.

ADDRESS OF HERMAN POLLACK AT MEETING OF AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE

Mr. PELL. Mr. President, the American Association for the Advancement of Science held its annual meeting in New York City last month from December 26 to 31. Many subjects of interest and importance were covered in the more than 100 lectures, symposia, and specialized sessions. It was not possible even to sample them all. Still, in addition to my duties with the panel on man and transportation, I was able to attend one session on marine science.

Domestic and foreign discussions on the exploration and exploitation of the oceans, and particularly of the deep seabed, are already taking place. Soon some decisions of far-reaching consequence will have to be made. I personally think this country should be pushing for some kind of legal regime for ocean space. I think the paper presented by Mr. Herman Pollack on this general subject was excellent. He is Director of International Scientific and Technological Affairs for the Department of State. He eloquently summarized the international issues with which nations must come to terms and stated clearly the requirements for

enduring decisions. I particularly commend his calling for a "sense of urgency in coming to grips with these problems before conflict arises."

Mr. President, I ask unanimous consent that the full text of Mr. Pollack's remarks be reprinted in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NATIONAL INTEREST, FOREIGN AFFAIRS, AND THE
MARINE SCIENCES

(By Herman Pollack, Director, International Scientific and Technological Affairs, Department of State, presented at the annual meeting of the American Association for the Advancement of Science, Marine Science Panel, New York City, December 27, 1967)

The problems of exploring and using the deep oceans are not confined to those of a scientific or technical nature. There are opportunities and risks, and there are purposes and tasks, which affect our international relationships and our foreign policy objectives. The successful exploration of the world's oceans and the peaceful exploitation of their resources will occur only if based on clear international understanding and agreement.

The relationships between and among nations, inherent to this exploitation, are one of the many areas in which much creative work needs to be done before the nations of the world can effectively apply today's considerable technological resources to the search for ocean treasure. The pattern for international cooperation in the marine sciences has developed largely in response to varying immediate needs or interests. We believe that we must now look to the creation of more coherent and comprehensive international agreements and understandings if we are to accommodate expanding interest and opportunities in this field. To this end, we will seek to engage the attention and cooperation of other nations in support of two basic and clear objectives: to promote both the study and the use of the world's oceans and their resources, and to avoid conflict in the process, and indeed advance international unity.

In today's world we must seek to do so without compromising our military security, while enhancing our commercial and industrial capabilities. This should be possible.

Since some of you may not be familiar with the interest of the Department of State in the marine sciences, I shall begin by reviewing that subject. Then I shall open a discussion of the major issues in this field of particular concern to our relationships with other nations.

Let me first point out that the Department of State is not an operating agency in the field of oceanography. We conduct no scientific research projects. We do not operate any research vessels or submersibles. We run no laboratories. Nor do we conduct any operating programs having to do with the exploration of the oceans or the use of their resources.

Rather, it is our task to formulate United States foreign policy objectives with respect to the oceans. As related parts of this task, we must identify the opportunities and needs for international arrangements, consider them in relation to our foreign policy objectives, study the problems which are foreseen, and finally serve as a catalyst for appropriate action.

This necessitates relating the diverse international programs of many government agencies to clear, attainable national objectives.

This means the negotiation of arrangements abroad to meet our own needs in the field—negotiations which cover a broad spectrum extending from arrangements for specific research projects to the complexities of the international law of the sea.

This requires expert assistance in identify-

ing those opportunities in this field which can support our foreign policy objectives, and some of those experts are sitting here today.

It requires an understanding of the interests and capabilities of other nations in this field.

It concerns international ground rules for scientific investigation of the oceans and for exploitation of their resources.

We have historically been deeply involved in the negotiation of international agreements on ocean fisheries. The Department of State is charged with the implementation of United States international fishery policies. This is accomplished through participation in eight different international fisheries commissions, and through such international organizations as the FAO. The focus of these efforts is the rational use of the living resources of the sea in consonance with the principles of conservation.

The Department is also responsible for United States participation in international governmental organizations whose interests relate directly to marine matters, or impinge on these matters; for example: the Intergovernmental Oceanographic Commission in its consideration of scientific activities in oceanography, the Food and Agriculture Organization in its concern with fisheries; the World Meteorological Organization in its arrangements to study the effect of the oceans on climate and weather; the International Maritime Consultative Organization with respect to shipping problems and the safety of lives at sea; and the International Telecommunications Union in connection with overseas communications.

We also help arrange, or support, bilateral and multilateral cooperative projects with foreign governments and foreign scientists in this field; for example: the recent worldwide cruise of the Oceanographer and such research undertakings as the Indian Ocean Expedition.

Finally, we seek the development of a coherent body of objectives and a comprehensive plan for their achievement—in short, policy planning. This is the central task and it goes hand in hand with the development of a national oceanographic program.

Incidentally, we follow closely the views of nongovernmental scientific organizations such as ICSU and its member committee, SCOR, in developing national positions. We support the establishment of relationships between such groups and related governmental organizations so that the views of the world scientific community may be brought to bear continuously on developing policies and programs.

In all of these tasks the Department works closely with other departments and agencies. The Secretary of State is a member of the National Council on Marine Resources and Engineering Development and the Department is represented on the four committees of the Council.

In addition, nearly a year ago, the Department of State established an interdepartmental Committee on International Policy in the Marine Sciences. The scope of the Committee's interests is indicated by the subjects it assigned to the temporary interagency panels it established; for example: scientific cooperation; the living resources of oceans; and regional cooperation in South America and Europe.

Originally established on a temporary basis, the Secretary of State is now converting it into a permanent Committee on International Policy in the Marine Environment. I anticipate that the principal tasks of this Committee in the future will relate to international programs for the exploration of the oceans and their floors and to the question of a regime for the floors which lie beyond present national jurisdictions.

Let me now open the discussion of some of the issues relating to the deep ocean floor by considering briefly the debate in the UN General Assembly this fall which focused on

the resolution introduced by Ambassador Pardo of Malta. That resolution and the reactions to it have involved, at an early state in their development, many of the major policy issues which will confront us in the future.

Ambassador Pardo proposed that the Assembly look toward a new international treaty which would reserve the ocean floor beyond the limit of national jurisdiction exclusively for peaceful purposes and establish an international agency to assume jurisdiction over the deep ocean floor and its resources. It was his suggestion that the financial benefits from the exploitation of these resources be allocated primarily to the less developed countries.

In debating this resolution the Assembly has started a dialogue on complex and difficult questions affecting law, arms control, international cooperation, management and regulation, and economic development. Yet, we are still without clear understanding of the full implications of the proposals contained in the Maltese resolution.

The United States view, as set forth by Ambassador Goldberg in the course of the debate, stressed the importance of comprehensive and responsible study, the need for international cooperation in exploration of the ocean floor, and the need for general principles to guide activities undertaken in this field. He pointed out that the deep ocean floor should not become a stage for competing national sovereignties, but should be open to exploration and use by all states, without discrimination. He emphasized the complexity of these issues and noted the considerable body of existing international law and treaty rights and obligations which bear on the subject. He further affirmed the willingness of the United States to participate fully in whatever studies are necessary in determining the future legal regime of the deep ocean floor.

Some four dozen countries have spoken in the debate on this subject in the Political Committee of the General Assembly, representing a wide range of attitudes and uncertainties. Their views run all the way from an apparent willingness by some to act now to adopt several of the principles suggested by Ambassador Pardo to a reluctance, on the part of others, to have the General Assembly involve itself in these issues or to create a special committee to consider them seriously. There is no common view as to the limits of national jurisdiction over coastal waters or the adjacent ocean floor. Some advocate, nonetheless, a freeze on the extension of sovereignty or sovereign rights. There was throughout the debate a sensitivity on the part of developing countries to this new manifestation of the technological gap, evidenced, for example, by suggestions that there be no unilateral exploitation of the resources of the deep ocean floor. There is, in short, no consensus among the UN members on the issues, or on comprehensive, long-range approaches.

Any conclusions which might be reached as a result of these discussions should relate as much to science and technology as to national political interest. It is what is possible, as well as desirable, which will govern the activities of nations in the deep oceans. The political discussions must have the benefit of the best scientific and technical information available if they are to be truly meaningful. I agree with the sages who said: "It is unwise to pursue political goals sharply at odds with technical realities." It will be useful to keep this admonition in mind as we look at the marine issues of particular interest to future foreign policy.

The nations of the present world stand entranced in much the same frame of mind with which the nations of Europe viewed the New World in the 16th century—with the rumors of immense treasure and riches to be found on the ocean floor. These estimates are as yet based more on speculation

than on hard fact. Furthermore, one must keep in mind that it will not suffice to establish the existence of resources in the seabed and on the ocean floor. It must also be established that they are recoverable on an industrial basis, and at a competitive price. It can be safely predicted that the capital investments required will be huge. But the selling job has been done—not only in this country but in others—and international interest is now high.

Today, as the world turns its attention to the ocean floor beyond the continental shelf, there is a genuine search on the part of many for internationally agreed guidelines to the development and use of ocean floor resources as an alternative to the preemptive approaches historically spawned by the treasure syndrome. President Johnson made a contribution on behalf of the United States to this discussion when he said:

"Under no circumstances, we believe, must we ever allow the prospects of rich harvest and mineral wealth to create a new form of colonial competition among the maritime nations. We must be careful to avoid a race to grab and to hold the lands under the high seas. We must ensure that the deep seas and the ocean bottoms are, and remain, the legacy of all human beings."

Some of the factors which will underlie our approach to these matters are already clear.

First, the United States enjoys a significant capability in oceanology, both in research and applications. In some respects we enjoy a significant lead, and our continued commitment to leadership is essential.

Second, the deep interest, both here and abroad, in the resources of the ocean floor and its subsoil compels a response.

Third, we are already confronted with special pleading and special points of view such as those of the land-locked nations, those who would use revenues primarily for the developing nations, and those who would vest control or management of the deep seabed in the United Nations.

Fourth, in the search for meaningful areas for international cooperation and "bridge building" between East and West, North and South, the attention will increasingly fall on the deep oceans. Interest is whetted by the attractive analogy between the possibilities for agreement on the exploration and use of the resources of the deep oceans on one hand, and agreements concerning the use of the Antarctic and outer space on the other—an analogy which is by no means entirely relevant.

Some important factors, then, are known—it is the unknowns in the equation which continue to trouble us. There is an old saying that one requires 80 percent of the answer in order to ask an intelligent question, and for this reason we cannot now pose those questions which we need to ask if we are going to have the kind of information on which policy judgments can be based, and which can resolve the political issues which will face us in the near future.

But even if we don't know the questions we do know some of the characteristics which the answers must have. They must be able to stand the test of time, and accommodate advancing technology. Provision should be made for substantive changes, as we match our capabilities to the challenge, but the broad principles should be durable. We must have answers which will provide hospitably for major capital investments while at the same time providing measures for the resolution of economic and jurisdictional issues which could lead to conflict. We must have answers which provide for national security considerations within the larger context of the broad national interest. In all these aspects, the answers must be generally acceptable to other nations.

But first and foremost we will be in no position to define wisely international guidelines for the development and use of the ocean floor, until we learn more than we now

know about the deep ocean environment and man's ability to work in it.

There are several problems which will have to be taken into account, in the work which lies ahead. For example, the present Convention on the Continental Shelf defines that Shelf as "the seabed and subsoil of the submarine areas adjacent to the coast . . . to a depth of 200 meters or, beyond that limit to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas . . .". In this instance, an increasingly important legal definition, which determines the extent of national sovereign rights, rests in part on a changing technological capability. Yet, we do not know what the practical effect of those changes will be.

The Convention on Fishing and Conservation of the Living Resources of the High Seas permits any coastal State to adopt "unilateral measures of conservation appropriate to any stock of fish or other marine resources in any area of the high seas adjacent to its territorial sea," provided that "the measures adopted are based on appropriate scientific findings." In this instance the law defers to science, but we have relatively little in the way of "appropriate scientific findings."

And so we need now to intensify the groundwork and our homework if we are to have effective international arrangements in this field. Scientific knowledge, technical readiness, and national interest are all parts of the whole—and there can be no "sum of the parts". Each must make its contribution wholeheartedly; a guessing game in any one of the three could be disastrous.

Further, in formulating these guidelines our response will necessarily be conditioned in part by military requirements. This aspect of our national security as it relates to the oceans is but one, albeit a critical element in assessing our total national interest. We shall have to take into account the considerable attention that has been given over the centuries by the nations of the world to the military uses of the sea.

In conclusion, there is no possibility that the extending of the sea frontier will be purely an American effort. There are other nations with strong programs in being. We must work within an international framework in opening the sea to profitable enterprise. We need to agree on the obligations and benefits which will accrue to participating nations. The interests of other nations not now ready to participate must be considered including those of landlocked nations.

Above all we need to have a sense of urgency in coming to grips with these problems before conflict arises. To be profitable, ocean exploitation must be peaceful, and I can make it no plainer than that. Leadership and enduring solutions, in this age of technology, require active collaboration among scientists, engineers and political experts.

COMMENTS BY SENATOR PERCY AT KANSAS DAY BANQUET IN HONOR OF SENATOR CARLSON

Mr. PEARSON. Mr. President, on January 29, 1968, at the Kansas Day Banquet, the distinguished and able junior Senator from Illinois [Mr. PERCY] honored Kansas by serving as the principal speaker of the evening.

The Senator from Illinois was thoughtful enough on that occasion to express what was in the minds and hearts of many Kansans, for he measured once again the great accomplishments and achievements of Senator FRANK CARLSON during his 40 years of public service.

Mr. President, I ask unanimous consent that the comments of Senator PERCY

on that occasion be printed in the RECORD.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

COMMENTS BY SENATOR CHARLES PERCY AT KANSAS DAY BANQUET

I think it only appropriate that I begin by mentioning something which I am sure is much on your minds today. That is the announcement of your distinguished senior Senator that he will retire at the end of his current term.

I will not presume to inform you of the accomplishments of Frank Carlson during his long service to his state, his party and his nation. The value of that service and the recognition of it by the people of your state is best measured by the fact that for 40 years you have elected him to every position he has sought—or been sought for, and with good reason.

It is a rare newspaper or magazine article on mental health that does not mention Kansas as a state long in the vanguard in this vital field—and you remember that it was Frank Carlson, during his tenure as Governor, who lead the way to one of the foremost state sponsored mental health programs in the nation.

As you travel across Kansas and see the many federal reservoirs, and the lakes covering more than 100,000 acres—you remember Frank Carlson, who as a freshman representative in 1936 was instrumental in enactment of milestone flood control legislation.

And if you travel across Kansas on its excellent highways—you remember Frank Carlson. For it was during his governorship that a long-range highway improvement plan for Kansas was inaugurated.

Even as you pay your income tax, not only you but the people of all our states could well remember Frank Carlson. For it was during his tenure in the House, where he served on the Ways and Means Committee, that Frank Carlson exercised his quiet and authoritative influence on tax legislation benefiting the taxpayer, and was instrumental in adoption of the pay-as-you-go tax plan in 1942.

And in Washington, those who annually attend the Presidential Prayer Breakfast will remember Frank Carlson, acknowledged as its founder and for many years its leader.

I could go on and on, listing Frank Carlson's contributions to Kansas and the nation, in the fields of housing, education, and many others. But you here know them better than I.

Rather I want to reflect for a moment on Frank Carlson as a man—a man born on the land, of immigrant parents, growing to maturity as a farmer and a dedicated Christian, showing early promise of the leadership role he was to assume by becoming superintendent of his Sunday School at the age of 16. The promise culminated and now bears its ultimate fruits for the benefit of us all with Frank Carlson's service in the Senate of the United States.

Frank Carlson's name has not been frequently in the headlines, for that is as he wants it. Rather, Frank Carlson works with quiet dedication in the committees, and cloakrooms and the corridors, influencing, persuading, and above all leading in the formation of policy and enactment of legislation. Take only one field as an example—that of foreign affairs. Frank Carlson's voice long has been heard with respect in the halls of Congress and in the oval room of the White House on sensitive matters dealing with foreign policy. His influence and the respect in which he is held is witnessed by his selection to attend the Kennedy Round Tariff negotiations in Geneva, and his designation as a delegate to the 19th United Nations General Assembly—fields far removed from the plains of his native Kansas.

His is a voice that will be sorely missed when he leaves the Senate next January.

On January 23, Frank Carlson's 75th birth-

day, his fellow Senators gave a luncheon in his honor, and subsequently on the floor of the Senate, 45 Senators spent more than two hours paying him tribute and enumerating his many achievements. Those remarks take up more than 12 pages in the Congressional Record. The words of the Majority Leader of the Senate, Mike Mansfield, convey the spirit of that tribute, and convey my own feeling. He said: "There is no man for whom I have greater admiration. There is no man who is so unostentatious and who—without fanfare—contributes so much to the welfare and the betterment of this body."

We cannot here today enhance the honor that has justly come to Frank Carlson. But in marking it, we can rededicate ourselves to the principles for which he stands and has labored so long and so effectively.

ENCYCLOPAEDIA BRITANNICA GIVES REFERENCE BOOKS TO 1,000 SCHOOLS

Mr. PELL. Mr. President, the Encyclopaedia Britannica has long dedicated itself to excellence in the field of education. In a recent ceremony celebrating Britannica's 200th anniversary at the Smithsonian Institution, the Britannica announced a book distribution program which will furnish much-needed reference books to 1,000 schools throughout the country.

At the ceremony, U.S. Ambassador to UNESCO, William Benton, who is chairman and publisher of Encyclopaedia Britannica, presented the volumes to President Johnson in honor of the President's "leadership and continuing contributions to education for all Americans." The 1,000 reference sets will be designated "Presidential Reference Libraries" and will be distributed under the guidance of the Office of Education to school systems with limited library facilities.

Every State, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa will receive at least one reference library. The libraries will be distributed according to the needs of the school and will include State institutions for the handicapped, neglected delinquent children, migratory worker schools, and Indian schools. Thus the Encyclopaedia Britannica assists in fulfilling the goal set by President Johnson in his message 2 years ago to the Congress, that:

Every child must have the best education our nation can provide.

This great concern of Encyclopaedia Britannica for better opportunities in education deserves our praise. Dr. S. Dillon Ripley, Senator Benton, and President Johnson presided admirably over the lively anniversary ceremony in December. I ask unanimous consent that the ceremony be included at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF DR. S. DILLON RIPLEY II, SECRETARY OF THE SMITHSONIAN INSTITUTION, AT ENCYCLOPAEDIA BRITANNICA PRESENTATION, DECEMBER 14, 1967

Mr. President, Ambassador Benton, Distinguished guests, ladies and gentlemen, I am very happy to welcome you here today. In looking toward this occasion, I have been unable to decide whether to describe the Encyclopaedia Britannica as a museum be-

tween hard covers or the Smithsonian as an encyclopedia of objects.

We are both, in any event, dedicated in our separate ways to the broad objectives of education for all Americans, for which President Johnson has worked with such great effect not only during these recent years but for a lifetime.

It is certainly most appropriate that we met here today, on this 200th anniversary of the Encyclopaedia Britannica, to honor that President who has inaugurated so many educational firsts by inaugurating a book program that will contribute to the education of children in every part of the country.

We and our encyclopedic guests of course have other things in common. We, to, originated across the Atlantic. The presence of Sir William Haley, of the still-Britannic elements of the Encyclopaedia Britannica, demonstrates in splendid fashion the international nature that lingers on even as in the case of the Smithsonian. We especially welcome you here today, Sir William.

We, too, celebrated a bicentennial a few years ago. And it was in this ceremony that President Johnson spoke so eloquently of the need for a national and international center for scholars here at the Smithsonian. May I report to you today, Mr. President, that your words have never been far from our thoughts. As a great open university for all our people we will continue to work toward this goal and others in the fields of education and research in the arts and history and the sciences.

I should like to introduce now, and once more to welcome, the man of many achievements who has been chairman and publisher of Encyclopaedia Britannica during a very dynamic quarter century. Since graduating from Yale yesterday, in 1921, he has distinguished himself many times over—from the world of business to the United States Senate, from his editorial desk to UNESCO.

I hope you all will join me in wishing an enthusiastic Happy 200th Anniversary to Ambassador Bill Benton. [Applause.]

Mr. Benton.

REMARKS BY AMBASSADOR WILLIAM BENTON

Mr. President, Secretary Ripley, friends of the Smithsonian, I am grateful to the Secretary for those warm and friendly words of greeting.

I said to the President as we walked up here, "Mr. President, can't you teach me to be as good in politics as I am in business?" (laughter)

Two years ago one of Encyclopaedia Britannica's most famous contributors wrote a message which has become historic. In it he stated, "our goal is to improve the quality of American life. We begin with learning. Every child must have the best education our nation can provide."

He quoted Thomas Jefferson's famous words . . . "that no nation can be both ignorant and free" . . . and he added that today no nation can be both ignorant and great.

This contributor, former Texas school teacher who taught in a small school in Cotulla—I had to make a long distance phone call to Washington today to find out how to pronounce it. (laughter) It shows you there are a good many things the Encyclopaedia doesn't know. Mr. President—Texas, some thirty odd years ago is the President of the United States and his message was to the United States Congress.

I doubt very much whether his Cotulla school had a library. Even if it did, I doubt that it had a reference section. I am sad to acknowledge, Mr. President, that even in this year 1967—in spite of the best efforts of the best salesmen of the Encyclopaedia Britannica—there are still schools that do not have what educators consider the most basic facility of all—a library.

For the 200 years of Encyclopaedia Britan-

nica's history, which we commemorate today, the Britannica has been dedicated to the increase and diffusion of knowledge. Our goals are thus similar to those of our host, the Smithsonian Institution, whose motto is "the increase and diffusion of knowledge among men." (While Secretary Ripley and I were waiting for the President downstairs, he told me that George Washington used this phrase in his inaugural address.) The Encyclopaedia Britannica proudly carries on its title page the motto the University of Chicago with which it is associated, "Let knowledge grow from more to more and thus be human life enriched."

What could be more appropriate, to mark the Britannica's 200th anniversary, than to honor our great national leader who has dedicated himself to these same goals? No President, and I day say no chief of state has ever worked so tirelessly and so effectively to expand educational opportunities for all peoples everywhere . . . as has President Lyndon Baines Johnson. (Applause.)

It gives me great pleasure, as Chairman and Publisher, Mr. President, I have lasted longer as publisher than you are likely to last as President. (Laughter.) No man has ever stuck it out before for 25 years. (Laughter.) I've got a 200-year record (laughter)—to open Britannica's Bicentennial by presenting in your name a "Presidential Reference Library" to 1000 schools where the need is greatest.

The selection and distribution of the 1000 schools will be made in cooperation with the U. S. Office of Education. This office, with the assistance of an advisory committee of educators, is using a formula based on need. A 53-volume elementary reference library—fifty-three volumes, Mr. President, not merely the Encyclopaedia Britannica (laughter)—will go to 665 grade schools, and a 57 volume secondary reference library will be given to 335 junior and senior high schools. Permanent book plates will mark these "Presidential Reference Libraries," for all to see as "a gift honoring the many educational contributions made to his country by the 36th President of the United States, Lyndon Baines Johnson." (applause)

And incidentally, Mr. President, sets of these libraries are going to schools in Cotulla and Johnson City. (laughter) Not, of course, on the basis of need, but just as a Christmas present. (laughter) I understand 4 schools already have been selected to receive these libraries. Two of them are supposed to be nearby here . . . There—right up in front . . . Come up, children, and stand up in front so you can be seen. Yes, come up and shake hands with the President. (applause) Very good. (applause) Two of these schools are Castlemont High School in Oakland, California, and Jones Elementary School in Jackson, Mississippi. But two others are here in the District, and are represented here today by their principals and librarians, and by two of the children who will benefit from the gift.

This is Tabitha Torosian. Come over here, Tabitha. . . . Of the fourth grade? . . . Tabitha? (laughter) That's just as difficult as Cotulla. (laughter) Tabitha . . . and what's the second name?

(Tabitha: T-O-R-O-S-I-A-N.)

Tabitha. Tabitha Torosian of the fourth grade at the Tyler Elementary School and Dwayne Sellers of the third grade of Junior Village School. (applause)

Now you go back and join your teachers. (laughter) . . .

When I think of the many hundreds of thousands of school children who will benefit from these libraries, I am reminded of an article on the goal of education written for one of the early editions of the Encyclopaedia Britannica by James Mill, the 18th century historian, economist and philosopher and father of John Stuart Mill. He wrote, and I commend this to you because nothing better has been said on this subject from

that 18th century date to this one. . . . He wrote:

"The end of education is to render the individual, as much as possible, an instrument of happiness, first to himself and next to other beings." (applause)

I like that applause for James Mill.

Mr. President, in all humility and with the greatest of pleasure I present to you these Presidential Reference Libraries for the school children of the United States. (applause)

REMARKS OF THE PRESIDENT

Dr. Ripley, Senator Benton, Members of Congress, ladies and gentlemen, Senator Benton did say to me coming up here that he wished that I would give him what information I had on politics (laughter) and I don't know how a man could be very learned in that field and have such a poor poll (laughter) unless there is something wrong with politics or polls. (laughter) But I may need to know something about business. (laughter) It depends on your frame of mind. (laughter)

I agreed with Senator Benton that I would tell him what little I knew about politics if he would tell me all he knew about business. (laughter)

The first thing he did was get up here and make a prediction. (laughter) I thought he was bragging for a moment about how long he had been connected with the Encyclopaedia Britannica until I found out he was predicting what a short time I would be President. (laughter)

Let's just leave it this way (laughter): He is better at explaining things than he is at prophesying. (laughter and applause)

I would like to quote—and, Senator Benton, if it pleases you, sir—to disagree with something I read in the Encyclopaedia Britannica. (laughter) I am a concerned Democrat who is exercising my free right of free speech, and my right to dissent. (applause)

What I read that I disagreed with in the Encyclopaedia Britannica concerned education. This is what it said:

"Education (consists of) instructing children . . . in such branches of knowledge and polite exercises as are suitable to their genius and station."

That statement appeared in the Britannica, "suitable to their genius and station." It appeared in the first edition of the Britannica 200 years ago. (laughter) That shows what has happened in 200 years, doesn't it?

I don't believe it. Neither does today's Encyclopaedia Britannica. For this gift to 1000 schools that you have talked about underscores the idea that in America education must be concerned not with the station of our young people—not with their station—but their ability.

By this very generous and farsighted act of yours, placing these Presidential reference libraries in these poor schools attended by our poor children, Senator Benton, you and your organization are helping to give these people power—power to rise above the arbitrary "station" they were born to.

Nothing gives me greater satisfaction than the fact that the old ideas of station and the old ideas of privilege are withering away and are dying on the vine. (applause) I think that is especially true in education. Nothing makes me happier than to know that I have had a little part in it in the past four years, in creating the conditions that will one day—that will one day—give every child as much education as he or she can take. (applause)

I am going to talk to you about what we have done here in a moment. Before you get too tired, I am going to break the bad news to you first. I am going to tell you what we haven't done, and I think it is an international disgrace—that there are human beings walking around on two legs in this day and age who would permit a condition like this to continue—where four people out of ten

can't read "dog", can't spell "cat", and can't write "mama".

That is the kind of civilization we are leading. Some people are satisfied with it. Some people are content with it. Some people are apparently willing to let us stay that way for fear we are going too far too fast.

I don't feel that way about it. I am happy that we are doing something, not only to let people out of poverty, but something to let every boy and girl have all the education that he or she can take.

The day before yesterday I went to a little town near my home where we had a junior college just established. We had a program—the Higher Education Facilities Act of 1965. Under Title V, you could build libraries. The Federal Government put in 50 percent and the local people voted a bond issue and put in 50 percent.

Anyway, we planned for a junior college so boys and girls could stay with mama and papa and live at home—eat mother's cooking, so they wouldn't have to go to a junior college, and get two years of college.

In 1900 we had eight junior colleges in this country. When I became President we had 600-plus junior colleges in this country. Today we have 900 junior colleges. In three years we have added 300 junior colleges—one or two opening every week. (applause)

We took a poll. It wasn't a little Harris poll or a Gallup poll. They get awfully busy working for other people this season of the year. (laughter)

But we took a poll. There were 150 students who were eligible for that junior college. The people voted a bond issue. We built the junior college. We opened it the day before yesterday. I went by there to pay my respects and take a look at it.

I said, "Where are your 150?" They said, "They are out there with 1850 more. We have an enrollment of 2000, eager, yearning, seeking knowledge." This is the first time they had the facilities, equipment and staff, and so forth, to give it to them.

Now I am glad that Senator Benton and his vision and his generosity are going to make available the Encyclopaedia Britannica. I hope it is not one 200 years old, because that school is Cotulla—Cotulla. (laughter) It is a Latin-American school. You probably have the Latin pronunciation. (laughter)

But we didn't have an Encyclopaedia Britannica then. We didn't deal with this business of station. Johnson City doesn't have an Encyclopaedia Britannica either, or didn't have when I went to school there some years ago.

I am glad you are recognizing those two.

But what makes me prouder than ever, Senator, is that for many years you have been in the forefront of a movement in this country to get the Federal Government deeply concerned about giving every boy and girl all the education that he or she can take. (applause)

When you take that slogan, or that motto, or that objective, I think that is a rather remarkable development. There has never been anything like it in the history of the world. The horizon of opportunity has been broadened for millions of children—young children. You know what we are doing for education in this country and what we have done in the last three years, too. Because the Federal Aid to Education was a very dirty word in all of my campaigns for 24 years—12 years in the House and 12 years in the Senate.

But we are giving them education in Head Start at 4 years old. You move down the street two blocks and we are teaching them to read and write at 74 years old. Aren't you proud of that kind of a program? (applause)

In three years the number of children from 3 years old to 4 years old in nursery schools in the United States—children 3 to 4 in nursery schools in the United States—has jumped 29 percent—in three years. The

drop-out rate is down by more than a fifth in five years.

There were 4.3 million students in college in 1963, when I took the oath of office. Today there are 6 million—not 4 million—6.1 million in college three years later. We haven't got this year's gain—4 to 6 to 7, whatever it is.

The Federal Government has had a very major role in education. That may be one of the big reasons for our deficit. (laughter) We don't like deficits. We don't want deficits. We are going to try to do something about deficits. But the big deficits we have had in this country have been in the deficits in education, and the deficit in health. We are doing something about those deficits, too.

In the last three years our educational spending: when I became President it was \$4 billion a year—today it is \$12 billion a year. In three years, up three times. (applause)

Our spending for university research has gone up 61 percent in the last five years—and is now bearing the sort of fruit that you are going to be reading about tomorrow morning.

What are you going to read about tomorrow morning? It is going to be one of the most important stories that you ever read, your daddy ever read, or your grandpappy ever read.

At this very moment, the biochemists at Stanford University are announcing a very spectacular breakthrough in human knowledge. They have for the first time finally succeeded in manufacturing a synthetic molecule that displays the full biological activity of a natural molecule in a living organism. (applause)

In the words of this Nobel Peace Prize winner, and others associated with him, they have come "the closest yet to creating life in the laboratory" by manufacturing "the living genetic material of a virus." When this man-made viral material infected bacteria, it began to reproduce.

Think about the state ordaining life. This is going to be one of the great problems—one of the big decisions. If you think about some of these decisions the present President is making—it is going to be a kindergarten class compared to the decisions some future President is going to have to make.

These men have unlocked a fundamental secret of life. It is an awesome accomplishment. It opens a wide door to new discoveries in fighting disease and building much healthier lives for all human beings. It could be the first step—these great laboratory geniuses say—toward the future control of certain types of cancer.

The work of these scientists, headed by Dr. Arthur Kornberg, is living proof of the creative partnership which has developed over the years between science, between the universities, and their Government. If you want to say "Federal", then "Federal Government".

We are quite proud that their explorations have been made possible by public grants from the Federal Government's National Institutes of Health and their National Science Foundation.

We are quite proud that there has been a substantial drop, as a result of our program for children—our appropriations in behalf of medicine for children—in the infant death rate.

There has been a substantial drop—we hope it continues as it shows now—in our death rate. How much that is connected with the fact that all of our people over 65 have a chance to have Medicare and hospitals, have a chance to have their doctor bills paid, have a chance to go to a nursing home, have a chance for your mothers, fathers, grandmothers and grandfathers to be taken care of—how much that is having to do with the declining death rate is a matter of conjecture. We can't prove that. I don't want to get my credibility involved any more

(laughter), because I have all the election year problems I can deal with now. (laughter)

But I want to ask you, when you read about what they are doing here at Sanford, when you read about what they are doing out here at NIH, when you read what they are doing at Head Start, when you read about what they are doing with 74-year-old men and women learning to read and write, and when you read about cutting that infant death rate, you read about reducing that total death rate in the country, and you read about pulling people up above the poverty level by the millions for the first time—is there any satisfaction in the world that can really be greater than bettering humankind by educating the mind and building and preserving the body? (applause)

I was thanking Senator Benton for some more of his generosity. He came to see Mrs. Johnson the other day. He had admired some paintings in Senator Lehman's office many years ago. He went down to the art gallery when he got enough money to pay for them and bought some himself. He saved them through the years and treasured them very much.

He saw Mrs. Johnson and said, "I want to give this to my country. I want to give it to the White House." That beautiful painting is there in the White House where it is admired every day by thousands of Americans who come and go from that house—that first house of the land.

But what Senator Benton and his people are doing here today is going to live long after people forget that beautiful painting.

The knowledge that he is going to open up and expose to these children—the information—in all the Cotulla's and Johnson Cities and other places of the land—is going to pay results long after the pictures have faded.

So I want to say that as man continues with this work—education and health to make these wonderful discoveries such as Dr. Kornberg has just made at Stanford University—I devoutly hope that men like him will grow in the wisdom that is needed to apply the results of this study to all mankind.

I remember how frightening it was when we split the atom—how frightening it still is. But thank goodness we have had the wisdom of men with prudence and understanding to deal with this problem.

I devoutly hope that men like Dr. Kornberg will grow with wisdom in the years.

While this is being announced today—this afternoon, tonight, at Stanford University, across the land—another great experiment is under way all across America. That is one that Senator Benton is participating in. That is in unlocking the power—unleashing, not Chiang Kai-shek—but unleashing the power of the human potential. (applause)

Unleashing the power of the human potential has always been the American dream in this country. If we can keep the momentum of education going—it is going to slow some when we start balancing these budgets and we try to have guns and butter, and try to protect our freedom with one hand; keep our guard up and our hand out with education and health and the others—we cannot do it all overnight.

But we are moving forward. We are moving again. That curve is going up in education and in health. If we can only improve the quality of education and the quantity of education at every level, and we can make education available to every child. There are really not many types of children. There are not many types of human beings. And there is really not any difference in them. They have two legs, two arms and just three colors.

If we treat them all alike—my little Luci made the best civil rights speech I have ever heard. She said, "I don't understand why all of this misunderstanding and hatred

and everything about civil rights." She was 11 years old. She was out in California.

I was frightened to death that she was going to eliminate me from the race with the civil rights speech. (Laughter.)

But she said, "I have white hair and blue eyes and my mother has brown hair and my daddy—what little hair he has got—has black hair. He is fair. We all have different colors. I have different colored hair, different colored skin and we have the most wonderful family. We just get along fine. If we can get along well together, I don't know why all the world can't get along together." (Applause.)

So if we can make an education available to all who are fair, all who are blonde, all who are brunette, and all the different colors, all with the same legs, same arms and the same hearts, if we can do that we shall make this country the America that we want it to be.

We shall make this country the American reality. We shall make this country the land that our great grandparents thought they were coming to when they first set foot on our shores.

Pardon me for asking you to stand this long. I appreciate your indulgence. I always have the feeling that I enjoy talking about the potentials, the human potentials and bettering human kind, by conservation, by education, by medical care and health care—I enjoy talking about it perhaps more than some people enjoy hearing it. (laughter and applause)

POLITICAL ACTIVITIES OF BIG LABOR

Mr. FANNIN. Mr. President, during the latter part of January, Machinists' President Roy Siemiller addressed the staff of the Western Conference of Teamsters in Phoenix. His remarks were most interesting to me because they confirmed my belief that the primary aim of big labor is to maintain, at all costs, their freewheeling ability to engage in political activities and influence legislation. Mr. Siemiller expresses concern lest such issues as the Vietnam war distract the minds of the membership from this goal. If this should happen, according to Mr. Siemiller, the forces of evil would be unleashed and union officials would find that their political muscle had been diminished. Moreover, they would have to contend with laws which restrict their now almost unlimited power. It is interesting to note that the legislative proposals which Mr. Siemiller cites as being anathema to labor are those which would confer benefits on individual union members and restore a measure of balance to labor-management relations.

Mr. President, I ask unanimous consent that the digest of Mr. Siemiller's remarks, as contained in the Machinist, be printed in the RECORD.

There being no objection, the digest was ordered to be printed in the RECORD, as follows:

[From the Machinist, Feb. 1, 1968]

TEAMSTERS

(NOTE.—IAM President Roy Siemiller spoke at Phoenix, Ariz., last week before the entire staff of the Western Conference of Teamsters. He was introduced by Teamster Vice President Elmar Mohn. Here in digest is what Mr. Siemiller told the Teamsters.)

Relationships between the Teamsters and the Machinists go back to early days when teamsters started chauffering horseless carriages and machinists began keeping them in good repairs. The relationship between our two unions is a natural one, but I would be

less than honest if I pretended that it has always been a smooth or peaceful one.

Although both our unions are committed to the same basic trade union principles, though we both serve the needs of working people, though we seek similar economic, legislative and political goals, we have fought each other almost as much as we have helped each other.

COMMON GOALS

Today our only formal agreement is with the Western Conference of Teamsters. But that is a beginning, a beginning that I hope will lead to a broader, deeper and more lasting arrangement between two organizations that have far more in common than in opposition.

Even though our present contacts are primarily informal they are also quite extensive. In many localities throughout the country our staff works closely with your staff, our business representatives with your business representatives, our officers with your officers, on problems of mutual interest and concern.

Since I took office as President of the IAM we have worked toward such policy in dealing with the International Brotherhood of Teamsters. It is a policy that has paid dividends to both of us. And it is a policy we intend to continue and strengthen. What has happened is far less important than what will happen.

Today, in election year 1968, the need of the labor movement to hang together—to avoid being hung separately—is critical. The compulsory arbitration bill that was so swiftly enacted for the benefit of the railroad bosses is but a small taste of what's in store for us, all of us—the Machinists, the Teamsters, and every other union, large or small, in America—if we lose this election.

If we let our members get sidetracked by other issues, including race prejudice and the war in Vietnam, and if, as a result, conservative anti-labor forces take over the Presidency, the Senate and the House of Representatives, we can expect with complete certainty legislation which will destroy the American labor movement as we now know it. It has already been introduced.

We can, for example, expect legislation prohibiting industry-wide bargaining.

We can expect a federal open shop, or so-called national right-to-work law.

We can expect the Labor Board to be abolished and replaced with a special "Labor Court."

We can also expect legislation which will outlaw multi-union bargaining, which is the only kind of bargaining that's effective when you're dealing with giant nation-wide corporations.

If we lose this election, then as surely as the night follows the day, we can expect a law prohibiting unions from engaging in any kind of political action. Today we try to elect friends of the working people through funds voluntarily donated by our members. The Machinists do it through our Non-Partisan Political League; the Teamsters through DRIVE; and the AFL-CIO through COPE. But if we get smashed in the election of 1968, as we will if we don't get organized and get together now, there won't be any DRIVE, MNPL or COPE in 1969. All it will take to pass such laws will be a few more anti-labor votes in the House and the Senate.

VITAL ELECTION

We lost 40 good friends in the House of Representatives in the last election. If we lose 20 more in this election, the great American Labor Movement, this movement that for generations has served the needs, advanced the hopes, insured the prosperity, and fed the aspirations of the working people, will be dealt legislation that will make Taft-Hartley and Landrum-Griffin look pro-labor by comparison.

We must not let it happen. The time has

come to forget the disputes of the past, to put away the petty jurisdictional squabbles of the present and lay a foundation for true trade union cooperation and political progress.

U.S. RATIFICATION OF HUMAN RIGHTS CONVENTIONS WOULD GIVE NEW IMPETUS TO INTERNATIONAL HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, as every Member of the Senate is undoubtedly aware, the General Assembly of the United Nations has proclaimed 1968 International Year for Human Rights. As the General Assembly has suggested and as President Johnson has urged again this week, the most fitting way for the United States to demonstrate our commitment to human rights is by ratifying the human rights conventions.

U.S. ratification will have one very real benefit: U.S. ratification will give these conventions new life. Our ratification will encourage nations which have withheld adherence to reconsider their position.

U.S. ratification of these conventions would emphasize renewed observance of the standards these conventions set forth. Our ratification would provide tremendous impetus to the continuing worldwide struggle for human rights as part of our great tradition beginning in 1776 to espouse these rights.

Once again, I urge the Senate to face its responsibility squarely and give its advice and consent to the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, and Political Rights of Women.

HOUSE PASSES A STRONG TRUTH-IN-LENDING BILL

Mr. PROXMIRE. Mr. President, the House of Representatives yesterday passed landmark consumer protection legislation. The House passed the strongest truth-in-lending bill ever considered by either House of Congress. It is a bill of which consumers can be justly proud. It is a bill which I believe former Senator Paul Douglas, the original architect of truth in lending, will be proud of.

By passing a tough truth-in-lending bill by 382 to 4, I believe the House has indicated that this is truly the year of the consumer. The House vote shows the growing importance of consumer protection legislation and the growing effectiveness of consumer and labor groups in achieving effective legislation.

I was pleased to see that the House was able to eliminate a number of exemptions which were included in the Senate bill. The original truth-in-lending bill, which I introduced on January 11, 1967, applied the identical disclosure requirements to all segments of the credit industry. All creditors were required to disclose the cost of credit in terms of an annual percentage rate as well as in dollars and cents. However, stiff opposition developed in the Senate Banking Committee to these across-the-board provisions. In order to break the 7-year logjam, it therefore became necessary to exempt certain segments of the industry from some or all of the disclosure requirements of the bill. For example, short term revolving

credit plans were exempt from disclosing the annual percentage rate. Second, creditors would not be required to disclose the annual rate whenever the finance charge was less than \$10. Third, first mortgages were exempted entirely from the bill.

Most of the members of the Banking Committee were not completely satisfied with the Senate bill. There were some, including myself, who felt it should have gone much further in the direction of consumer protection. Others felt additional exceptions and exemptions should have been provided. Considering the differences of opinion in committee, I believe the Senate bill was the best possible bill which could have emerged.

S. 5, as passed by the Senate, is a good bill. It covers approximately 97 percent of ordinary consumer credit transactions. However, the House has passed an even stronger bill. It eliminates the three exemptions included in the Senate bill and provides a number of additional consumer protection features.

I would like to describe some of these additional features for the benefit of the Senate. First of all, the House bill includes a prohibition on wage garnishment. Creditors would be prohibited from garnishing more than 10 percent of a wage earner's weekly salary in excess of \$30. This provision is patterned after the New York State law on garnishment and is actually milder than in several States where garnishment has been prohibited entirely. There are some who argue that the restrictions on wage garnishment will cause consumer credit to dry up. However, an analysis of those States with a complete prohibition on garnishment reveals no substantial difference in the amount of consumer credit extended. The restrictions on garnishment do, however, require creditors to be more careful in the amount of credit they extend to low-income consumers. There are some merchants who do not hesitate to sell costly merchandise to consumers who are already burdened with debt. This is possible because the creditor knows he can always recover the money owed to him by slapping a wage garnishment on the consumer's salary. In effect, the courts act as a collection agency for the creditor. The House provision on garnishment would also prohibit employers from dismissing an employee solely on account of the fact that their wages have been garnished. Some employers have the practice of automatically firing employees who have their wages garnished. This is an effective threat which creditors can use to harass and intimidate debt-laden consumers. By removing the threat, the House provision protects the consumers and particularly low-income consumers from this type of harassment.

Second, the House bill includes a provision requiring full disclosure in advertising. If a creditor advertises any rate, it must be the annual percentage rate as defined in the bill. If he advertises the amount of the payment or the dollar cost of credit he is also required to give full particulars on the cost of credit. Creditors could no longer advertise a \$1 down and \$2 a week. In such a case they would also have to indicate how many weeks,

the total dollar cost of credit and the annual percentage rate.

I believe these advertising provisions will be particularly effective in insuring full disclosure. The truth-in-lending bill as passed by the Senate would require a disclosure prior to the actual credit transactions. However, by this time many consumers are already effectively committed to a particular purchase and find it difficult to bargain effectively on credit terms. Very frequently it is the deceptive advertising on the part of the creditor which lures the customer into the store in the first place. Experience under the Massachusetts truth-in-lending law, which includes a section on advertising, has shown that full disclosure in advertising is extremely important in stimulating competition and eliminating deceptive practices.

Third, the House bill is much stronger in its enforcement provisions. The House bill provides for administrative enforcement procedures in addition to additional remedies. The Federal Reserve Board would issue regulations which would be enforced with cease-and-desist type authority by the appropriate Federal agencies. Under the Senate bill, enforcement would have been secured through civil actions brought by consumers. This method was also available in the House bill.

Fourth, the House bill provides for a Commission on Consumer Credit to study the structure of the consumer credit industry. The Commission would report on whether or not credit is being provided at reasonable rates, whether the public is being protected against unfair practices, and whether other additional legislation is desirable. The House bill authorizes \$1.5 million to carry out the study. The Commission would be required to report to Congress by December 31, 1969. The Commission would consist of three Senators, three Congressmen, and three members appointed by the President.

Fifth, the House bill would require that premiums for credit life insurance, if mandatory, be included in the computation of the annual percentage rate. There are some unscrupulous lenders who could charge excessive premiums for credit life insurance while collecting substantial kickbacks from the insurance company. In effect this is a method whereby a creditor can increase his effective yield without increasing the stated rate of interest. If these charges are mandatory, the House bill requires that they be included in the annual percentage rate. The Senate bill specifically exempts credit life insurance premiums from being counted in the annual percentage rate. In view of the substantial evidence of abuse in the credit life insurance field uncovered by Senator HART's Antitrust Subcommittee, I believe the House has added a vital safeguard. We attempted to secure this same principal in the Senate committee, but it was rejected by an 8-to-6 vote.

Sixth, the House bill was amended on the floor to permit the Federal Government to restrict the operations of loan sharks, who are frequently under the control of organized crime. The amendment adopted by the House would make it a Federal crime for any unlicensed

lender to violate any State law limiting the charges on consumer credit transactions. By bringing the additional enforcement machinery of the Federal Government into play, the unscrupulous and shocking practices of loan sharks will stand a better chance of being abolished. I recall the testimony of Joe Valachi, in which he revealed that the so-called "juice racket" is one of the biggest moneymakers of organized crime. The Mafia has a most effective method for collecting their illegal and exorbitant interest charges. According to Mr. Valachi the Mafia has a regular penalty schedule which ranges from broken legs for minor infractions, all the way up to death.

Seventh, the House also amended the bill on the floor to include provisions for dealing with the notorious second mortgage racket. A recent series of newspaper exposés have revealed the shocking practices of fly-by-night contractors who prey upon low-income homeowners. These contractors frequently provide shoddy home improvement work which is paid for on an installment basis. The note is secured by a second mortgage and interest charges customarily average between 30 and 40 percent a year. The evidence indicates that many homeowners had no idea that they were signing second mortgage notes or in some cases first mortgage notes on their homes. The House bill would require creditors to disclose in clear and specific terms whether or not their loan was secured by a mortgage on real property. This disclosure would have to be made at least 3 days prior to the completion of the transaction. This would strike against the fast shuffle method employed by fly-by-night contractors who bamboozle unsuspecting homeowners into signing second mortgage notes at exorbitant rates of interest.

Mr. President, I believe the House truth-in-lending bill is the most effective piece of consumer protection legislation that has been passed in years. Much of the credit for this fine piece of legislation must be given to Congresswoman LEONOR SULLIVAN, of Missouri, the chairman of the Subcommittee on Consumer Affairs of the House Banking and Currency Committee. Mrs. SULLIVAN fought long and hard for an effective measure and was able to withstand the tremendous pressure of consumer credit lobbyists. It was only through her steadfast perseverance and leadership that an effective bill emerged from the House of Representatives.

I also want to compliment and commend the distinguished chairman of the House Banking and Currency Committee, Congressman WRIGHT PATMAN. Mr. PATMAN has demonstrated throughout his long and distinguished career that he is an able champion of the consumer, and certainly his role in the truth-in-lending bill is a shining example of his dedicated leadership.

I also want to congratulate Congressman WILLIAM WIDNALL, of New Jersey, the ranking Republican on the House Banking and Currency Committee. Although Congressman WIDNALL differed on some of the details of the bill, he made it clear from the outset that he sup-

ported a strong and effective truth-in-lending bill. His constructive leadership and support made it possible for the bill to become a truly bipartisan product.

Mr. President, I am hopeful that the Senate will be able to accept most of the improvements offered by the House in the truth-in-lending bill. Certainly in this age of the consumer, we can do no less than provide the American public with an effective and strong truth-in-lending bill. I believe President Johnson and the administration will strongly support most of the improvements added by the House and I believe it will be particularly fitting for the Senate to agree to a strong measure as a tribute to the pioneer of the consumer credit legislation, former Senator Paul Douglas of Illinois.

CONNECTICUT CITIES TAKE THE LEAD IN PROVIDING JOB OPPORTUNITIES

Mr. RIBICOFF. Mr. President, last year, my Subcommittee on Executive Reorganization conducted extensive hearings on the Federal role in urban affairs. During that yearlong inquiry, one call sounded with increasing insistence from the 110 spokesmen for the American city who appeared before the subcommittee.

That call was for jobs—jobs for every citizen anxious to leave dependence and deprivation behind, and willing to work for the dignity and self-respect accorded his more fortunate neighbors.

I was particularly pleased, therefore, to learn that in two major cities—Hartford and Stamford—in my own State of Connecticut, private industry has taken on an extremely important part of the task.

In Stamford, the management council and chamber of commerce will cooperate with a local, nonprofit organization—the Committee on Training and Employment—CTE—in a long-range employment program called Job, Inc. The program's objectives are four in number:

Equipping unemployed persons with the basic education and skills required in today's labor market.

Matching Stamford's unemployed citizens with the existing jobs offered by business and industry.

Working with employers and the employees in a manner designed to build and maintain a stable work force.

Working with employers to initiate basic education and on-the-job training courses designed to upgrade members of their existing work force and produce additional job openings.

The business and industrial leadership of Hartford, too, has responded to the needs of their city. On December 13, 1967, the Greater Hartford Chamber of Commerce adopted a job opportunity pledge. The pledge and its amplification typify the business community's growing attitude of responsible concern and constructive action, and I ask unanimous consent that they be printed at this point in the RECORD to serve as example and incentive to all the cities of our Nation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JOB OPPORTUNITY PLEDGE

Confident that Greater Hartford business and industrial leadership has the skills, the capacity and the resources to make this region one of open opportunity for all its citizens, and confident that the employers of the region are determined to demonstrate the vitality of the American dream, the Greater Hartford Chamber of Commerce believes that a job opportunity now exists for any and every present resident of the region who is willing and able to work.

Persons lacking marketable skills or education can be enrolled in one or more of the broad variety of pre-employment, vocational or educational training programs operated in this area by public and private agencies and upon successful completion of a suitable training program can be assured of hire.

Steady attendance and acceptable on-the-job performance are required in order to hold employment.

Therefore, the Chamber hereby declares as one of its principal goals—a job opportunity for all such residents and pledges its every effort and energy toward this end.

AMPLIFICATION OF JOB OPPORTUNITY PLEDGE

The Greater Hartford Chamber of Commerce believes that a productive way of life is possible for all the residents of the Greater Hartford region.

We believe that government and other agencies have roles to play.

We believe that private enterprise has the principal, most responsible role to play in continuing to provide entry jobs and training of employees for advancement.

We pledge a concerted effort by the Chamber of Commerce to work with private enterprise and individuals:

1. To seek out aggressively those in need of employment; to promote the hiring of those employable in the best job commensurate with skill; to promote the training of those not fully qualified for jobs through both public and employer training programs;

2. To promote the sensitivity of employers in all supervisory levels to the needs and potentials of the unemployed group;

3. To investigate the causes of turnover in an effort to seek solutions;

4. To work cooperatively with all appropriate agencies, public and private, currently working toward the common goal;

5. To work with every business, industrial and commercial firm in the region to achieve cooperation.

With private enterprise providing the economic opportunity, we call upon the people of the Greater Hartford region to see that opportunity is opened to all.

We believe that the greater Hartford economy will continue to provide economic opportunity. The economy has demonstrated such a vitality that non-agricultural employment in the region has risen by nearly 50,000 jobs over the past five years. There are 10,000 jobs now open in the region.

There are a broad variety of vocational and educational training programs under both public and private agencies.

We believe that any resident in the Greater Hartford region who is able and interested in working can find a job now or, if lacking in marketable skills or education, can be enrolled in a suitable training program and upon successful completion of the training—be assured of hire.

Therefore, the Chamber pledges itself, in cooperation with its member companies, to work with agencies, both public and private, to achieve this goal.

Agencies with which the Chamber will work will include the Community Renewal Team of Greater Hartford, the Urban League of Greater Hartford, the Connecticut State Employment Service, the Human Relations Commission of the City of Hartford, the Connecticut State Commission on Human Rights and Opportunities, and others.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. CHURCH in the chair). The hour of 2 o'clock having arrived, morning business is concluded.

INTERFERENCE WITH CIVIL RIGHTS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

The Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VISIT TO THE SENATE BY URUGUAYAN SENATORS

Mr. HICKENLOOPER. Mr. President, we are honored today by the visit of three distinguished Senators from our good friend, the Latin American country of Uruguay, who have come to the United States to see a part of our life, our customs, and our system.

They are making a sort of circumferential trip to the United States, going around both seacoasts. I would suggest that they visit the interior of the United States, where we would make them as welcome as they are in any other place, but their time is limited.

Mr. President, I wish to introduce to the Senate at this time Senator Agustín Claudio Caputi Vassallo, Federal Senator in General Assembly from the Department of Canelones,

Senator Eduardo Paz Aguirre, Federal Senator in General Assembly from Department of Canelones, and

Senator Daniel Augusto Vaz Vergez, Federal Senator in General Assembly from Department of Montevideo. [Applause, Senators rising.]

Gentlemen, we welcome you to the Senate and we are glad you have taken the time and have the interest to come to our country.

Mr. President, I ask unanimous consent that the Senate stand in recess for 2 minutes so that Senators may greet the Uruguayan Senators.

The PRESIDING OFFICER. The Chair wishes to extend a very cordial welcome to the Senators from Uruguay and to express the wish that their visit to the United States will be most satisfactory.

RECESS

Thereupon, at 2:12 p.m., the Senate took a recess until 2:14 p.m.

During the recess, the Uruguayan Senators were greeted by Members of the Senate.

On expiration of the recess, the Senate

reassembled and was called to order by the Presiding Officer (Mr. CHURCH in the chair).

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

Mr. FONG. Mr. President, the debate on H.R. 2516 is now extending into its third week. Thorough consideration of this important measure is desirable and necessary, but I submit that much of the recent debate has tended to obscure, rather than clarify, the real issues which exist.

The bill we are now considering is really quite simple:

It proposes criminal sanctions designed to deter and punish those who would interfere by force with various activities protected by our Federal statutes or the Constitution of the United States.

WHY H.R. 2516 IS NECESSARY

Mr. President, the great majority of Americans have either welcomed or peacefully accepted the movement of Negroes toward full enjoyment of equality under our law. This has been particularly marked since the enactment of the historic Civil Rights Act of 1964 and the landmark Voting Rights Act of 1965.

Unfortunately, however, a very small minority of lawbreakers has resorted to violence in an effort to bar Negroes from exercising these constitutionally and statutorily protected rights. Acts of racial terrorism have sometimes gone unpunished and have too often deterred the free exercise of these rights.

It is very apparent to me that the No. 1 domestic problem of America today is the problem of our race relations: the problem whether we as a nation will accord full dignity and equal status to our Negro and other racial minorities.

Here is a problem which is and has long been a great irritant to the American body politic—a problem which is surely eroding the Nation's strength and sense of unity and harmony.

Acts of racial violence have occurred in retaliation against Negroes who have exercised or sought to exercise their civil rights. In some cases, violence has been used against Negroes who have not engaged in any civil rights activities in order to intimidate and deter other Negroes in the exercise of their rights. Both white and Negro civil rights workers have been victimized.

Under our federal system of government, the keeping of the peace is, for the most part, a matter of local and not Federal concern. Where the administration of justice has been impartial, perpetrators of racial crimes have been apprehended by local police and appropriately punished by local courts.

But in some places, local officials either have been unable or unwilling to solve and prosecute crimes of racial violence, or to secure convictions in such cases—even when the facts seemed to warrant.

As a result, Federal action is badly needed to compensate for the lack of effective protection and prosecution on the local level.

Also, such racial violence is a denial of Federal rights which impels protection by the Federal Government.

Too often in recent years, racial violence has been used to deny Federal rights to our minorities—thereby flouting the clearly expressed will of the Congress. Thus, when a Negro is assaulted for attending a desegregated school or casting a ballot, it is not only the individual Negro citizen and the peace and dignity of the State that is hurt. Such acts of lawlessness have too often deprived American citizens of basic Federal rights—so that they are, indeed, Federal crimes whose vindication should be committed to the Federal courts.

PRESENT FEDERAL LAWS INADEQUATE

A number of criminal and civil statutes designed to reach both private and official interference with Federal rights were passed by Congress in the 1860's and 1870's. These laws included the statutory predecessors of what are now sections 241 and 242 of the Federal criminal code (18 U.S.C. §§ 241 and 242), which are directly relevant to this debate.

They are relevant, because H.R. 2516 is designed precisely to cure the inadequacies which have been found in sections 241 and 242—the only two Federal laws on our books today prohibiting violent interference with civil rights—since neither of the Civil Rights Acts of 1964 or 1965 covered this issue.¹

Section 241 prohibits two or more persons to conspire "to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States." Punishment under this section is a fine of \$5,000 and/or 10 years' imprisonment.

Section 242 prohibits anyone "under color of law" to take the same actions; sanctions are \$1,000 fine and/or 1 year's imprisonment.

While there have been some successful prosecutions under these laws, opinions of the Supreme Court—particularly in the cases United States against Guest and United States against Price, which I will come to later—have noted a number of serious deficiencies in both laws. Each defect noted by the Court was coupled with a suggested remedy.

First, the coverage of the laws is very limited. Section 241 reaches only conspiracies, and in some situations it may be restricted to conspiracies involving the participation of persons acting "under color of law." Section 242 pertains only to conduct which was under color of law.

Thus, neither statute reaches purely private actions which interfere with 14th amendment rights.

At the same time, the Court made it abundantly clear that Congress could constitutionally enact a statute reaching private conduct denying such rights. H.R. 2516 is such a statute which would—

¹ The 1964 Act covered issues such as rights to attend desegregated schools, to employment opportunity, to public accommodations, and to State-assisted programs.

The 1965 Act dealt only with voting rights. This law did provide criminal penalties, but its provisions are somewhat narrower than those in H.R. 2516.

as a majority of the Court said was constitutionally possible—cover racially motivated acts of violence which do not involve participation or connivance of public officials.

A second defect of sections 241 and 242 is their lack of clarity and specificity. While they are applicable to some racial violence, they are inadequate to meet many present problems.

This has resulted in the need for extensive judicial construction and has caused difficult problems of proof, including the requirement that specific intent be shown in each case.

These problems have in turn led to long delays and protracted litigation which have undermined enforcement efforts.

In addition, because these statutes do not spell out clearly what kinds of conduct are prohibited, they lack the deterrent effect that would result from plainly worded prohibitions.

H.R. 2516 exactly meets these problems by spelling out and defining specific kinds of activity to be protected. It eliminates conspiracy as a required element of the crime. The clear language of the bill would avoid unnecessary litigation concerning both coverage and problems of proof.

A third defect is the inadequacy of the maximum penalties, which I earlier noted. H.R. 2516 meets this problem by providing maximum graduated penalties commensurate with the seriousness of the offense: a \$1,000 fine and/or 1 year imprisonment if no bodily harm results; \$10,000 and/or 10 years' imprisonment if someone is hurt physically; and imprisonment of a term of years up to life if death occurs.

PROVISIONS OF H.R. 2516

H.R. 2516 would prohibit interference and attempts to interfere, by force or threat of force, with any person because of his race, color, religion, or national origin, and because of his exercise of specifically enumerated rights: voting, use of public accommodations, access to public education, public services and facilities, employment, jury service, use of common carriers, and participation in federally assisted programs.

Thus, the bill would protect Negroes and members of other minority groups from violence directed at them because they are or have been engaging or seeking to engage in these activities. It would punish not only violence which is intended to discourage the victims from engaging in such activities, but also violence directed against a person who has not been involved in civil rights activity but who is selected as a victim in order to intimidate others.

In addition, the bill would protect civil rights workers and others who urge or aid the exercise of Federal rights, as well as those who engage in speech or peaceful assembly opposing their denial. Persons with legal obligations not to discriminate with respect to the protected activities—such as public school officials, restaurant owners, and employers—would also be protected against violent retaliation and intimidation.

H.R. 2516 would prohibit forceful interference with any of the specified ac-

tivities by individuals acting alone as well as by public officers or other persons acting under color of law.

FACTUAL BASIS TO THE BILL

Mr. President, other Senators, in the course of this debate, have already recounted the sad and depressing history of recent events which has rendered enactment of this legislation an urgent necessity. Case after case of racial violence comprise the factual basis for H.R. 2516.

Lemuel Penn, a Negro educator, shot by assailants while driving through the State of Georgia, returning to Washington, D.C., after serving as an officer of the U.S. Army in a summer camp in 1964. Of the six persons indicted and tried under Federal law—section 241—only two were convicted. No convictions resulted from the State prosecution of the case.

Mr. ERVIN. Mr. President, will the Senator from Hawaii yield for a question about Lemuel Penn?

The PRESIDING OFFICER (Mr. McGovern in the chair). Does the Senator from Hawaii yield to the Senator from North Carolina?

Mr. FONG. I am happy to yield to my good friend the Senator from North Carolina.

Mr. ERVIN. Does the Senator not know that the Hart bill would not cover cases like the Penn case, whereas my amendment would cover cases like the Penn case?

Mr. FONG. I believe the Hart bill would reach the Penn case.

Mr. ERVIN. Let me read from the Hart bill to the Senator. On page 8, subsection (6), it would protect only a man using "any vehicle terminal, or facility of any common carrier by motor, rail, water, or air."

That is the only provision that would protect him. Lemuel Penn was driving his own automobile, traveling in interstate commerce, going from Fort Benning, to his home in Washington. He was not using "any vehicle, terminal, or facility of any common carrier by motor, rail, water, or air." Thus, the Hart bill would not cover that case, but my amendment would.

I invite the attention of the Senator from Hawaii to subsection (5) on page 2 of my amendment No. 505. It would cover the case of any man, of any race, any religion, or no religion, or any national origin, because he was moving or traveling in interstate commerce, regardless of how he was moving, on foot, in his own car, or any other way. It would cover the shooting of James Meredith, the man involved in the integration of the University of Mississippi, when he was walking through Mississippi and someone shot at him from ambush. But the Hart bill would not. My substitute affords better protection to people than the Hart bill in these respects, and affords that protection to all men regardless of race, color, religion, or national origin. Thus, I think that the Senator should vote to substitute my amendment for the Hart bill.

Mr. FONG. I do not agree with the distinguished Senator from North Carolina. Under the terms of the Hart bill,

if it could be proved that the shooting of Lemuel Penn was racially motivated and was done to deter others from doing the same thing, I think the Penn case would most definitely be covered.

Mr. ERVIN. The Senator from Hawaii, who is an excellent lawyer, knows that every person has a right to travel in interstate commerce, on foot, or in his own automobile, as well as in a vehicle of a common carrier.

Mr. FONG. Yes.

Mr. ERVIN. Will the Senator tell me why it should be made wrong to interfere with a man's right to travel in interstate commerce merely on account of his race and not because he is electing to exercise his constitutional rights?

Mr. FONG. The answer, Senator, is that the Hart bill is intended to restrict Federal powers only to instances where there is clearly demonstrated a need for Federal legislation.

Mr. ERVIN. The Hart bill does not protect anybody traveling in interstate commerce unless he is traveling in a conveyance of a common carrier; and even in that case, unless the interference is on account of his race.

My amendment would cover anybody who is offered violence because he is traveling in interstate commerce, on foot, on horseback, in his own automobile, or by any other method; and it would protect him regardless of his race. It would protect all men. I cannot see why everybody's constitutional rights do not require equal protection.

Mr. FONG. In general, State laws are adequate to protect persons who travel in interstate commerce but who may not fall within the ambit of H.R. 2516. We are trying to confine this bill to areas of urgent necessity for additional Federal legislation. We do not wish to broaden it to areas where no such need exists. If we were to accept the amendment offered by the distinguished Senator from North Carolina, we would in many respects be extending the Federal Government's jurisdiction unnecessarily.

Mr. ERVIN. Let me say to my good friend, the Senator from Hawaii, that he is misconstruing my amendment. My amendment does not make it a crime in any case, unless force or threat of force sufficient to constitute an assault is used against a man because he has undertaken or is undertaking to exercise specified constitutional rights or specified rights under Federal laws. The difference between the Hart bill and my amendment on this phase of it is that my amendment would give protection to all men of all races, and would apply to all men under like circumstances, regardless of race, color, religion, or national origin, while the Hart bill would apply only if the act were motivated by race, color, religion, or national origin.

I cannot see any difference between using force to deny a man a constitutional right because of the color of his skin and using force to deny him his constitutional right because of the color of his necktie. Every man's constitutional rights should be protected. The Hart bill does not do that.

Mr. FONG. The Hart bill contem-

plates primarily cases which are racially motivated. This is the area in which it has been convincingly shown a serious problem of law enforcement exists. Beyond that, it is neither wise nor desirable to go.

Returning to my statement:

Schwerner, Chaney, and Goodman, three civil rights workers involved in voter registration drives in Mississippi, one a Negro, the other two Caucasians from New York, brutally murdered in Neshoba County, Miss., in June 1964. There were no State convictions in this case, either. And of the 18 defendants tried in Federal court—under section 241—seven were convicted, eight acquitted, and three released because of a hung jury. The appeal of the seven convicted persons is now on appeal.

The Rev. James Reeb, a Unitarian clergyman shot and killed in Selma, Ala., in March 1965, while working in a voter registration campaign. Three defendants were tried in State court and all three were acquitted. No Federal prosecution occurred because of the inadequacies of existing law.

Viola Liuzzo, wife of a Michigan Teamster official, mother of several children, did not participate in the Selma-to-Montgomery, Ala., march, in 1965, but was shot while providing transportation for marchers returning to Selma after the march. Again, no State prosecution. But three persons were indicted and three persons convicted under section 241.

Mr. President, I have described only a few of the cases of racial violence which have received extensive publicity. There have been, and there continue to be, countless other instances which may or may not have been widely publicized.

I refer to situations in which children attending desegregated schools and their parents have been attacked by mobs of private persons. I have in mind school officials and employers, who have extended equal educational and employment opportunity to Negroes, threatened with violence and bodily harm.

The opponents of H.R. 2516 have raised many arguments against the bill, Mr. President, but so far as I can determine, they do not deny that, in some areas, local law enforcement has failed to deal with racially motivated crimes.

SUBSTITUTE WOULD DESTROY FEDERAL SYSTEM

Some opponents have argued that the bill as reported by the Committee on the Judiciary is too limited in scope, because it is only applicable to crimes committed "because of race, color, religion, or national origin." They have, therefore, introduced a substitute bill which omits the factor of race, color, religion, or national origin. The substitute thereby purports to cover the entire panoply of civil rights, embracing in its sweeping ambit rights ranging from the freedom of travel, freedom of employment, to rights of protection for law-enforcement personnel, to rights relating to race relations.

Aside from the tremendously ambiguous language of the substitute bill, that bill would do irreparable damage to the principles of federalism so basic to our system of government.

The civil rights proposed to be protected under the substitute measure are indeed important and fundamental ones. In some instances, Federal legislation may well be justified and required. I submit, however, that this should be done on the merits of each situation in which there is a clearly demonstrated need for Federal protection.

I am sure that when we come to examine specific situations, State laws in many instances will be found to be entirely adequate to deal with specific crimes. The extension of Federal authority into these areas—traditionally reserved to the States and adequately covered by the States—would be inconsistent with our federal system and would have the effect of destroying it.

Yet, Mr. President, these opponents of H.R. 2516 are so opposed to this bill, that they are willing to wash away all traditional rights of States, sacrificing them all at the expense of our Federal system.

The committee bill, H.R. 2516, is limited in scope. Our principles of federalism require that. In adopting legislation of this type, Congress should proceed with great caution—restricting itself to matters as to which there has been clearly established a need for a Federal law.

I believe that the proponents of the committee bill have established a very strong and compelling case for the need of Federal legislation to curb crimes of racial violence. Because racially-based crime has presented a special law enforcement problem, we are proposing H.R. 2516 as a special solution, especially tailored to meet this critical problem.

Thus, in my opinion, H.R. 2516 does not unduly expand Federal power. Rather, it is a proper and restrained response to a very real need.

H.R. 2516 IS CONSTITUTIONAL

During the debate on this bill, it has been said that its adoption would amount to illegally amending the 14th amendment. Of course, no statute can "amend the Constitution." When Congress exercises its legislative power, it must do so within the bounds set forth by the Constitution.

The primary objection of the opponents of H.R. 2516 is the fact that the bill would reach interference by private parties under the 14th amendment—that H.R. 2516 would protect rights relating to the equal enjoyment of State facilities and activities, such as public schools, municipal parks, public assistance programs, and the State electoral process. They contend that the 14th amendment does not go this far in its guarantees.

While the 14th amendment does not specifically forbid private discrimination against persons seeking to enjoy State facilities and activities, section 5 of that amendment expressly authorizes Congress to enact appropriate legislation to "enforce" its substantive guarantees.²

² The relevant language of the 14th Amendment is as follows:

"Section 1. . . . No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any per-

The scope of this congressional implementing power is broad; and any doubt that this power can reach private acts to obstruct equal access to State facilities and benefits has been laid to rest by the opinions of Mr. Justice Clark and Mr. Justice Brennan, speaking for six Justices of the Court in the case *United States v. Guest*, 383 U.S. 745 (1966).³

These six justices joined in the view that, in exercising its power under section 5, Congress can prohibit private interference with rights which rest upon section 1. Let me illustrate this view.

The equal protection clause of section 1 is the basis for the requirement that public schools be free of de jure segregation. Accordingly, the right of an individual to attend a desegregated school is created under section 1 of the 14th amendment. Under section 5, Congress is empowered to enact legislation which enforces the other provisions of the 14th amendment. Surely, Congress could reasonably conclude that, if the right to a desegregated education is to be realized, Negro children and their parents must be free from private interference with that right. They must, for example, be protected from the individual who would attack the child because he is entering a formerly all-white school.

Mr. ERVIN. Mr. President, will the Senator yield at that point for a question?

Mr. FONG. I am happy to yield to the Senator from North Carolina.

Mr. ERVIN. Section 5 of the 14th amendment provides that Congress shall have power to enforce, by appropriate legislation, the provisions of this article. I ask the Senator whether these are not the provisions referred to:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of

son within its jurisdiction the equal protection of the laws.

* * * * *

"Section 5. The Congress shall have power to enforce, by appropriate legislation, the provision of this article."

Of course, it has long been settled that Congress may prohibit private interference with Federal rights based on the legislative authority of Congress under the Commerce clause (Article I, Section 8). *United States v. Darby*, 312 U.S. 100; *United States v. Wrightwood Dairy*, 315 U.S. 110; *Atlanta Motel v. United States*, 379 U.S. 241; *Ex Parte Yarborough*, 110 U.S. 651.

³ In the *Guest* case, six private individuals were indicted under 18 U.S.C. § 241 for conspiring to deprive Negro citizens in the vicinity of Athens, Georgia, of the free exercise and enjoyment of rights secured to them by the Constitution and laws of the United States—that is, the right to use state facilities without discrimination on the basis of race, the right to equal enjoyment of privately owned places of public accommodation (now guaranteed under Title II of the Civil Rights Act of 1964), and the right freely to engage in interstate travel.

Two other cases handed down, *United States v. Price*, 383 U.S. 787 (1967), and *Katzbach v. Morgans*, 384 U.S. 641 (1966), reinforced the *Guest* decision. The *Price* case involved the 1964 killings of three civil rights workers in Neshoba County, Mississippi, which was discussed earlier. The *Morgan* case dealt with the Voting Rights Act of 1965.

life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Those are the provisions of the 14th amendment which Congress may enforce by appropriate legislation; and there is no provision in that section which applies to any individual who is not an officer of the State, acting on behalf of the State, is there?

Mr. FONG. Will the Senator restate his question?

Mr. ERVIN. I say, there is nothing in those provisions of the 14th amendment to the Constitution which has any reference to any wrongful act of any individual; they apply only to acts of the State denying due process of law, denying the equal protection of the laws, or abridging the privileges and immunities of citizenship, do they not?

Mr. FONG. If the Senator is referring to section 1 of the 14th amendment, he is entirely correct.

Mr. ERVIN. So how can Congress reach the conclusion that wrongful acts of private individuals are covered by the 14th amendment to the Constitution, which applies only to State actions?

Mr. FONG. The Supreme Court of the United States, in *United States v. Guest* (383 U.S. 745) considered in 1966, with six Justices concurring, concluded that in exercising its power under section 5, Congress can prohibit private interference with the rights enumerated in section 1.

I agree with the Supreme Court.

Mr. ERVIN. Will not the Senator from Hawaii agree with the Senator from North Carolina that every decision of the Supreme Court from 1868 down to the *Guest* case held that the 14th amendment applies only to State actions?

Mr. FONG. Yes; up to that time. However, I should point out to the learned Senator from North Carolina that the Supreme Court in all those cases interpreted section 1, and not section 5, of the 14th amendment.

Mr. ERVIN. The opinion in the *Guest* case was not written by Justice Brennan or Justice Clark, was it? The opinion in the *Guest* case was written by Justice Potter Stewart, was it not?

Mr. FONG. I do not recall.

Mr. ERVIN. I inform the Senator from Hawaii that that is so.

Here is what the Court says in the *Guest* case, in the opinion written by Mr. Justice Stewart:

It is commonplace that rights under the equal protection clause itself arise only where there has been an involvement of the State or of one acting under the color of its authority. The equal protection clause "does not . . . add anything to the rights which one citizen has under the Constitution against another." As Mr. Justice Douglas more recently put it, "The 14th amendment protects the individual against State action, not against wrongs done by individuals." This has been the view of the Court from the beginning. It remains the Court's view today.

That is the opinion in the *Guest* case; and what Justice Brennan said was nothing but dictum—merely the expression of his personal opinion. He cited no authority to sustain it; and Justice Clark did not even agree with Justice Brennan.

He talks about reaching conspiracies, and Justice Brennan talks about reaching something else.

So the statements in *Guest* case, relating to the power of Congress to legislate against actions of individuals under the 14th amendment are nothing but dicta; and dictum by a judge is akin to the weakness which prompts a Senator, like myself, to talk too much.

Mr. FONG. Yes, and sometimes it becomes law, in many cases.

Mr. ERVIN. And sometimes not.

Mr. FONG. But I do not agree that it was dictum. I believe it represented the primary thrust of the court's reasoning. After all six Justices said that private actions could be reached under section 5 of the amendment. I am sure this will ultimately be the law of the land.

Mr. ERVIN. Not yet. I thank the Senator for yielding. I hope it has not caused him any inconvenience.

Mr. FONG. No, it did not. I enjoyed this colloquy with the distinguished Senator.

The occurrence or the threat of such an attack would not be an action of the State, but it would be just as detrimental to the exercise of the constitutional right to attend a desegregated school as the acts of a recalcitrant school official.

It is plain in my judgment that the *Guest* opinion makes clear the constitutionality of this bill.

COVERAGE MISUNDERSTOOD

The committee version of H.R. 2516 has been criticized by opponents on the ground that violence by white people against white people and Negroes against Negroes because of attempts to exercise Federal rights would not be covered by the bill.

Where criminal conduct is committed by a person of the same racial background as his victim, it is not necessarily true that the conduct would fall outside the reach of H.R. 2516.

If the acts complained of were committed because of the victim's race, color, religion, or national origin, and the other elements of the crime were present, a violation would be made out, regardless of the race or color of the person committing the offense.

As a practical matter, in the typical case, a racially motivated crime will involve acts committed by members of one race against another race.

However, there are many exceptions; for example, crimes based on the victim's religion or national origin may have no racial aspect; crimes against civil rights workers under subsection (b) of the bill, or against public officials under subsection (c) of the bill, might often find the defendant and the victim members of the same racial background.

It is misleading oversimplification to imply that Federal jurisdiction under the bill somehow depends upon a diversity of racial background between criminal and victim.

H.R. 2516 SHOULD BE ENACTED PROMPTLY

Mr. President, it is my judgment that little can be gained from additional debate on H.R. 2516. Repeatedly, the need for this legislation and its constitutionality have been demonstrated—in committee hearings, reports, and during floor

debate—in 1966, in 1967, and again in 1968.

This legislation proposes a criminal statute designed to respond to demonstrated needs. It would effectively deter and punish interference by force or threat of force with rights protected by Federal statutes or the Constitution of the United States.

H.R. 2516 would strengthen the Government's ability to meet the problem of violence arising out of civil rights activities.

A Nation which prides itself upon the rule of law cannot further tolerate the denial of constitutional rights by violence.

H.R. 2516 should be adopted without further delay.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I have proposed several amendments to this measure. One of them bears the number 429. Another bears the number 430. Another is the amendment which constitutes the pending business, and bears the number 505.

Another amendment bears the number 504. Another bears the number 503. Another bears the number 502. Still another bears the number 501.

Another bears number 500.

Another bears number 506.

Another bears number 520.

Another bears number 499.

And another amendment bears number 498.

Mr. President, I ask unanimous consent that these amendments be deemed and considered as having been read for the purpose of satisfying the provisions of rule XXII and the provisions of any other rules of the Senate requiring the reading of amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ERVIN. Mr. President, William Gladstone said that the Constitution of the United States was the greatest document ever struck off at any given time by the mind and purpose of man.

This statement is correct insofar as it states that the Constitution was reduced to writing at a given time. It is also correct in that it states that it is the greatest document ever devised by the mind of man.

However, the statement is not correct if it is to be construed to state that the ideas and the concepts and the rules stated in the Constitution were all devised at the time the Constitution was written.

The Constitution of the United States is a document which incorporates in its provisions all of the great rights wrung by the people from the hands of tyrannical government.

The best description of how the Constitution was written and came into being as a document of government was given by one of the ablest of all American lawyers, Jeremiah S. Black, chief counsel for the petitioner in the greatest and most courageous decision the Supreme Court of the United States ever handed down, *ex parte Milligan*.

Mr. Black said in his argument before the Supreme Court in that case:

But our fathers were not absurd enough to put unlimited power in the hands of the ruler and take away the protection of law from the rights of individuals. It was not thus that they meant to secure the blessings of liberty to themselves and their posterity. They determined that not one drop of blood which had been shed on the other side of the Atlantic, during seven centuries of contest with arbitrary power, should sink into the ground; but the fruits of every popular victory should be garnered up in this new government. Of all the great rights already won they took not an atom away. They went over Magna Carta, the Petition of Right, the Bill of Rights, and the Rules of the Common Law and whatever was found there to favor individual liberty they carefully inserted in their own system.

The men who drew the Constitution were undoubtedly the best equipped men for such a task that this Nation has ever known. They were familiar with the long and bitter struggle of men for the right of self-government. They knew that government has an insatiable thirst for power, and they knew that no government will stop short of tyranny unless it is restrained by some organic law which government itself cannot alter or repeal. So, they wrote the Constitution for a threefold purpose:

First. To define the powers that the government which they were creating was to possess;

Second. To establish a government of laws in which all laws should apply in like manner to all men in like circumstances; and,

Third. To secure to the individuals residing in the country certain basic rights which they could assert against government itself.

These wise men knew that Thomas Hobbes spoke an everlasting truth when he said:

Freedom is government divided into small fragments.

As a consequence, they divided the powers of government between the National Government on the national level and the State governments on the State level. They gave the National Government certain limited powers which are either expressly stated or necessarily implied in the Constitution. They did that to keep the Federal Government restricted to the domain which the Constitution assigns to the Federal Government. And they left all of the other powers of government to the States.

Among the powers of government which they left to the States was the power to define, prosecute, and punish crimes of violence committed by one individual against another.

This power has always resided in the States, and this bill—the Hart bill—for the first time since George Washington took his first oath of office as President of the United States, down to the present

moment, attempts to share it with the Federal Government.

There has been some argument that the Hart bill should be passed because three men were murdered in Mississippi and because a few other interracial crimes were committed in Southern States. I do not favor conferring upon the Federal Government the power to define, to prosecute, and to punish crimes of violence committed by one individual against another. But if Congress is going to go into that field, it should have as much concern with the 180 unsolved murders committed in the State of New York in 1966 as with crimes committed in the South. I venture the assertion, without fear of successful contradiction, that there were more unsolved murders committed in New York State alone in 1 year—1966—than the number of unpunished interracial murders committed in all the Southern States during this generation. As a matter of fact, 23.1 percent of the 780 murders committed in New York in 1966 have never been solved.

I might add, incidentally, that the State of Mississippi, where an atrocious murder was committed—involving a Negro who resided in Mississippi and two boys who had come down from New York—according to the FBI figures, is the most law-abiding State in the United States, with the exception of North Dakota.

I call attention to the fact that in the State of Massachusetts, whose Senators will undoubtedly be strong advocates of the Hart bill, 21 of the 103 murders committed in 1966 remain unsolved. That is 20.4 percent of all the murders committed in Massachusetts during that year.

Now, I do not favor the Federal Government taking over the task of detecting, prosecuting, and punishing the unsolved murders committed in New York and Massachusetts and other States. But, for the life of me, I cannot understand why Senators are concerned with murders committed in Mississippi and Georgia, and in limited numbers in States below the Mason-Dixon line, and have no concern whatever for the fact that the next most populous State in the Union, New York, had 180 unsolved murders in 1966.

I might state that the most populous State, California, had 92 unsolved murders in 1966, which is 15.2 percent of all the murders committed in that State during that year.

I mention that the Constitution leaves to the States, under the reserved powers of the States, the power to define, to prosecute, and to punish crimes of violence committed by one individual against another. Not a single syllable in the Constitution of the United States confers on the Federal Government a general power to define, prosecute, and punish crimes of violence committed by one individual against another.

The absolute necessity of abiding by the Constitution and leaving to the State the powers which the Constitution reserves to the States was well expressed by a Democratic president who was the most knowledgeable concerning government of any occupant of the White House. I refer to Woodrow Wilson. He said this:

Liberty has never come from the government. Liberty has always come from the subjects of it. The history of liberty is the history of the limitation of governmental power, not the increase of it. When we resist, therefore, the concentration of power, we are resisting the processes of death, because concentration of power is what always precedes the destruction of human liberties.

During recent years we have heard much of the bills which are given the beguiling name of "civil rights bills." All these bills have been passed for the avowed purpose of securing so-called rights to a minority of our population.

Back in 1883, Justice Bradley, one of the wisest men who ever served on the Supreme Court of the United States, had something wise to say about this segment of our population.

It is something which the Senate should consider at this time. Justice Bradley said:

When a man has emerged from slavery, and by the aid of beneficent legislation has shaken off the inseparable concomitants of that state, there must be some stage in the progress of his elevation when he takes the rank of a mere citizen, and ceases to be a special favorite of the laws, and when his rights as a citizen, or a man, are to be protected in the ordinary modes by which other men's rights are protected.

Mr. President, the bill is repugnant to the concept of Justice Bradley that all Americans, regardless of race, national origin, or religion, should have their rights as citizens or as men protected by the ordinary modes by which other men's rights are protected.

Justice Bradley's observation is sound, because it is in complete harmony with the intent of the drafters of the Constitution that all laws should apply in like manner to all men in like circumstances.

If the national sanity of the United States were not impaired, as it is, by the unceasing agitation about racial matters, the bill would be clearly seen for what it is—an absurd bill, inconsistent with the doctrine of equality of all men before the law, and inconsistent with the principle that all just laws apply in like manner to all men in like circumstances.

If a Christian, assuming a Christian could do such a thing, should murder a Mohammedan because the Mohammedan is attempting to exercise a constitutional right and because of the Mohammedan's religion, the Christian would be covered by this bill. I use the word "Christian" to signify a man who professes to be a Christian rather than one who practices Christianity.

However, if a Christian kills 1,000 Mohammedans because they are attempting to exercise their constitutional rights, and is not actuated by their religion in so doing, this bill would not cover him at all. That shows the manifest absurdity of the bill.

Lawyers are familiar with the old principle of the law that Federal courts are given by the Constitution jurisdiction of civil cases between citizens of different States. We call that jurisdiction based on diversity of citizenship.

This bill would give to the Federal courts criminal jurisdiction based upon diversity of color, diversity of race, diversity of religion, or diversity of na-

tional origin. Surely these factors are absurd bases upon which to create a law.

I think that the constitutional rights of each man, regardless of his race, regardless of his color, regardless of his religion, and regardless of his national origin, are just as precious as the constitutional rights of other men.

Why should the Senate be considering a bill which shows it is concerned about the constitutional rights of some people and has no concern about the constitutional rights of all of the other American people?

The Founding Fathers drew the Constitution, as I have said, with the purpose, among other things, of defining the powers that the Federal Government was to take and exercise. It intended that all Members of Congress, and the President, and the Supreme Court should abide by that Constitution. I say this because it requires each of them to take an oath or to make an affirmation that he will support the Constitution.

In the very nature of things, a written document cannot enforce itself. It must be enforced by human beings, and those who wrote our Constitution and those who wrote amendments to our Constitution contemplated that the men taking oaths or making affirmation to support that Constitution would abide by that oath or affirmation and obey the words of the Constitution.

It is a great pity that the Constitution cannot enforce itself, and that in the very nature of things its enforcement must be left to men, men who sometimes sell constitutional truth to serve the political hour, and men who are sometimes so enamored of their own personal notions of what the Constitution should say that they refuse to go by what the Constitution does say.

One of America's wisest sons of all time, Judge Learned Hand, said something on this subject. He said:

I often wonder whether we do not rest our hopes too much upon constitutions, upon law and upon courts. These are false hopes; believe me, these are false hopes. Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, no law, no court can even do much to help it. While it lies there, it needs no constitution, no law, no court to save it.

I say with profound regret that legislation and judicial opinion of the past several years make it manifest that devotion to the words of the Constitution has died in the hearts of some men in high official positions.

Some provisions in the Hart bill are based upon powers of States rather than on powers of the Federal Government, and that makes the Hart bill a dangerous bill. It may be a little difficult for men to do evil the first time; but when men do evil the first time it is easier for them to do evil the second time, and so on. I do not accuse anybody of intending to do evil. Those who succumb to the temptation to do constitutional evil believe that good will result from it.

Mr. President, Eve did not intend to do evil when she ate the forbidden fruit. She looked at the forbidden fruit and saw it was pleasant to the eye and believed it to be good for food. Moreover, she had been told by the serpent that

eating the forbidden fruit would make one wise. Eve wanted wisdom so she disobeyed the Almighty. She had a good motive. She wanted enlightenment of mind. She wanted to extend her intellectual horizons. She intended to do good by doing evil.

That is what men do when they advocate bills which cannot be reconciled with constitutional principles. The portions of the Hart bill which are concerned with enrollment in schools and colleges, the use of State facilities, and service upon State juries are concerned with matters which are within the domain of the State. The Federal Government has no concern whatever with them except to prevent the State from doing certain things in respect to them in violation of the 14th amendment. Despite this, the Hart bill undertakes to regulate these things and to make Federal crimes of wrongful acts of individuals relating to persons in attendance at schools, persons using State facilities, and persons summoned to serve on State juries. But the Federal Government has no power in respect of those matters other than its power to enforce certain specified State action under the restricted power given it by the 14th amendment.

Mr. President, what is the relevant part of the 14th amendment? It is the first section:

No State—

It does not say "no individual."

The first section states:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State—

It does not say "any individual"—

nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Mr. President, it is an absolute impossibility for any individual to violate the provisions of the 14th amendment. An individual cannot abridge anyone's privileges or immunities as citizens of the United States.

An individual cannot deprive any person of life, liberty, or property, without due process of law.

The only persons who can do those things are the legislative, executive, or judicial public officials who are acting on behalf of a State.

No person can deny to another person within his jurisdiction the equal protection of the laws. No one can do that, except legislative, executive, or judicial, officers acting on behalf of a State.

There is not a syllable in the 14th amendment that gives Congress power to make wrongful acts of individuals Federal crimes.

The fifth section of the 14th amendment does not do that. The fifth section merely says:

The Congress shall have power to enforce, by appropriate legislation, the provisions of this Article.

These are the provisions of the amendment which forbids a State to abridge the privileges and immunities of Federal citizenship, or to deprive any person within its jurisdiction of due process of

law, or to deny to any person within its jurisdiction the equal protection of the laws.

Mr. President, I say this without fear of successful contradiction by any Member of the Senate, by any of the hundreds of lawyers in the Department of Justice who are lobbying for the pending bill, or by any other human being: Every decision ever handed down by the Supreme Court of the United States declares that first section of the 14th amendment, which I have read, applies only to State action and that provision, and the fifth section relating to the power of Congress to enforce that provision by appropriate legislation, have no possible application to any wrongful acts of any individuals.

Yet, the Hart bill undertakes, for the first time in the history of this Nation, to have the Federal Government enter into a field which the Constitution of the United States reserves to the States. If the Congress can do this, it can assume virtually every governmental power reserved by the Constitution to the States, and thus destroy the federal system which the Constitution was ordained to establish.

Mr. President, there are scores and scores and scores of decisions sustaining what I say; namely, that the equal protection of the laws clause, the due process of law clause, and the privileges and immunities clause in the 14th amendment refer to State action and to State action alone.

As I stated a moment ago during the colloquy with the distinguished Senator from Hawaii [Mr. FONG] regarding the Guest case, the majority opinion written by Justice Potter Stewart, affirms what scores and scores and scores of other decisions held.

I read again from what Justice Potter Stewart had to say:

It is commonplace that rights under the equal protection clause itself arise only where there has been an involvement of the State or of one acting under color of its authority. The equal protection clause does not add anything to the rights which one citizen has under the Constitution against another.

As Mr. Justice Douglas more recently put it:

The Fourteenth Amendment protects the individual against State action and not against wrongs done by individuals.

This has been the view of the Court from the beginning. It remains the Court's view today.

Mr. President, I do not know how anything could be said more clearly on that subject.

There were two concurring opinions in which certain of the justices, as one of their associates Justice Harlan intimated, talked too much—talked about matters not involved in the case. But those judges have written opinions, which I can cite, and will cite if this debate continues, in which they, too, say that the 14th amendment is applicable exclusively to State action and has no possible application to wrongs done by one individual against another.

Yet that is precisely what the several sections in the Hart bill, relating to State activities, would attempt to do.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. ERVIN. Yes; I am delighted to yield to the distinguished Senator from Louisiana.

Mr. ELLENDER. Is it not a fact that the majority decision in the Guest case, which proponents are citing as authority, held that very thing?

Mr. ERVIN. Yes. Exactly that.

Mr. ELLENDER. What they cited was dictum in concurring opinions by some other judges?

Mr. ERVIN. Yes. The concurring opinions were written by Justice Clark and Justice Brennan, both of whom had written several decisions in which they said that the 14th Amendment applies only to State action.

Mr. ELLENDER. Is the Senator familiar with any majority decision wherein the contrary has been found?

Mr. ERVIN. I have read all of these cases, I think, and on the basis of having read them, I make the assertion that no such majority decision exists.

Mr. ELLENDER. I agree with the Senator thoroughly.

It seems to me to be clear that the sole purpose of the 14th amendment to the Constitution as well as the 13th and 15th was to change the legal system governing persons which prevailed prior to their adoption. The purpose was to restrict the actions of the State government and by so doing abolish the State laws which treated persons differently based on race or previous condition of servitude. The State as well as the Federal Government were prohibited from enacting legislation which treated persons differently based on race.

No attempt was made by those amendments to regulate relations between men, but only relations between the governments, both Federal and State, and man. It is clearly written that "No State shall" do such and such. There is a whole body of common law which protects a person in his relations with another and it is sufficient. I thank the Senator from North Carolina.

Mr. ERVIN. Mr. President, I want to review many of these cases. I have gotten near the end of the preamble to this speech. I want to continue it on a subsequent occasion. I want to convince my brethren who differ with me that the 14th amendment applies only to State action and persuade them, if I can, to vote for my amendment, which is perfectly constitutional, and which would be a just bill if Congress is going to enter this field. This is true because it protects the constitutional rights of all people, and does not make the interest of the Federal Government in their constitutional rights depend on race, color, religion, or national origin. It treats all men alike under like circumstances.

Manifestly, I cannot do that at this hour, and for that reason I ask unanimous consent that I may continue my remarks on a subsequent occasion without having the remarks I have made today and the remarks I may make on a subsequent occasion in elaboration of these remarks count as anything save one speech.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ERVIN. Under authority of the unanimous consent so granted, I yield the floor for the time being.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding rule VIII, I may proceed briefly on another subject.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

FIFTH ANNIVERSARY OF W. A. BOYLE AS PRESIDENT OF UNITED MINE WORKERS OF AMERICA

Mr. BYRD of West Virginia. Mr. President, I call attention to an editorial in the February 1 issue of the United Mine Workers Journal. This editorial calls attention to the fact that Mr. W. A. "Tony" Boyle celebrated his fifth anniversary on January 19 as President of the United Mine Workers of America.

I call attention to the fact that Mr. Boyle is the 11th American coal miner to hold the chief executive's office of this great labor union. It is a union which speaks for coal miners in more than 25 States of the United States and several provinces of the Dominion of Canada.

Mr. Boyle has had a very interesting career. His Irish father began work in the coal mines of Scotland at the age of 9; and his grandfather and great-grandfather worked in the coal mines of the United Kingdom.

Mr. Boyle has performed a great service during these 5 years for the United Mine Workers of America, as an organization, and also for the miners who make up the union. For example, he has been very active in the promotion of coal mine safety. This is a subject of intense personal interest to him.

One of the great legislative victories of his career was the enactment by the last Congress of an amendment to the Federal Coal Mine Safety Act which brought mines employing 14 or fewer men underground under the enforcement provisions of the Safety Act.

During the presidency of Mr. Boyle there have been many notable improvements in coal mine safety throughout the United States. I call attention to the fact that last year, when the coal mines of the United States were producing 549 million tons of soft coal, 217 miners were killed. This was the lowest death toll in the statistical history of mine fatalities. The death rate per million man hours of exposure, to wit, 0.91, was the lowest since 1953, at which time the previous low was set.

Mr. Boyle should be commended for his leadership in the field of coal mine safety, and he also should be commended for the many other accomplishments which have been brought about through his leadership, such as improvements in wage contracts with the American coal industry.

I shall not enumerate the many improvements which have resulted from the leadership and dedicated work of this great United Mine Workers chieftain, but I shall merely ask, in a moment, that those be enumerated in the RECORD. I only wish at this point to add my con-

gratulations to the United Mine Workers president and to say that American coal miners can be proud of a president who works night and day for the miners, who elected him to this important post, and for their families.

I ask unanimous consent that the editorial, entitled "January 19 Was President Boyle's Fifth Anniversary as Head of UMWA" be inserted in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the United Mine Workers Journal, Feb. 1, 1968]

JANUARY 19 WAS PRESIDENT BOYLE'S FIFTH ANNIVERSARY AS HEAD OF UMWA

This is by way of congratulations to UMWA International President W. A. Boyle on his fifth "birthday" as President of our Union.

It was five years ago on January 19, 1963, that the sad news was announced that the UMWA's beloved Thomas Kennedy, who had served as International President from January 14, 1960—succeeding John L. Lewis, who had retired—had died at his home in Hazleton, Pa., following a lengthy illness.

In accordance with provisions of the International Constitution, Boyle, who had been Acting President from December 1, 1962, succeeded to the Presidency of the International Union. He was subsequently elected to a full term by the membership.

President Boyle, a former Montana coal miner, thus became the 11th American coal miner to hold the chief executive office of the International Organization which speaks for coal miners in more than 25 states in the United States and several provinces of the Dominion of Canada.

Boyle is the first of the 11 leaders of the UMWA to come from a Western coal mining state.

To refresh the memories of our readers it is worth while to recall some of President Boyle's career. He comes from a family of many generations of coal miners. His Irish father began work in the coal mines of Scotland at the age of nine and before him his grandfathers and great-grandfathers worked in the coal mines in the United Kingdom.

Boyle, while working in the mines in the western states, served in various Local Union offices of the UMWA and in 1940 was elected President of UMWA District 27 (Montana, North Dakota and, more recently, Alaska). During the industrial union organizing days, Boyle served as regional director for the Committee for Industrial Organization (CIO) in four western states and later as regional director of UMWA District 50 in the same area.

During World War II, Boyle represented the UMWA on various government commissions. He also served in various capacities on state commissions in Montana.

Boyle's "schooling" in the top leadership of the UMWA started in 1948 when he was assigned to the International headquarters as an Assistant to President Lewis. During the period from 1948 until 1960, when he became International Vice President, Boyle represented the UMWA on numerous government and labor-management boards and committees including the Joint Board of Review and the Joint Industry Safety Committee.

Coal mine safety has been with President Boyle, as with all coal miners, a subject of intense personal interest and the greatest legislative victory in his career was the enactment by the 89th Congress of an amendment to the Federal Coal Mine Safety Law that brought so-called Title I coal mines (those employing 14 or less men underground) under the enforcement provisions of the Safety Act.

While on the subject of coal mine safety it is worthy of note that during President

Boyle's first five years as UMWA President there have been notable improvements in coal mine safety throughout the United States. President Boyle has always worked intensely for constructive cooperation in the field of improved mine safety and the record in recent years speaks for itself.

President Boyle has served for a year now as *Chairman of the Board of the National Coal Policy Conference, Inc.*, the coal industry's "one voice" that speaks with authority on the legislative and public relations problems of the bituminous coal industry. During his term in office there has been increasing action in behalf of the welfare of the coal industry and its workers.

President Boyle serves also as *Chairman of the UMWA's legislative agency, Labor's Non-Partisan League*, the labor movement's oldest legislative and political action organization. As LNPL Chairman Boyle has steered a middle-of-the-road course politically in the legislative and political field working to help elect labor's friends and defeat labor's enemies in national politics.

It has been President Boyle, more than any other individual, who has managed to stir up some constructive action—finally—to go after the atomic energy "establishment" that is hell bent on building dangerous atomic energy power plants with taxpayers' funds. Boyle launched his campaign against these plants publicly in his 1967 Labor Day speech in Wheeling, W. Va. Basically Boyle's position is simply that the growth of the government-subsidized nuclear power industry is a threat to the health and safety of all Americans. Secondly, it is a direct threat to the welfare of the coal industry and its workers.

The anti-atomic energy campaign is continuing and it would appear that the second session of the 90th Congress, now meeting, is just beginning to stir on the subject. Boyle's campaign to alert the American people to the hazards of nuclear power is continuing.

But for coal miners, obviously the most important accomplishments of President Boyle have been the improvements in the wage contracts with the American coal industry.

To refresh the memories of our readers let us recite just a few of the major improvements that have come to members of the UMWA under President Boyle's leadership.

He signed his first National Bituminous Coal Wage Agreement on March 23, 1964. The *Journal* reported on April 1, 1964, that the bituminous coal miners had won:

A \$2-a-day wage increase;
Mine-wide seniority (to replace classification seniority);

Assignment of a helper to work with all operators of continuous mining machines;

A \$25 increase in vacation pay bringing the total for the two-week vacation period to \$225;

The recognition, for the first time in the soft-coal contract, of seven holidays with double-time pay for work done on those days;

Time and one half pay for Saturday work as such;

Double time pay for Sunday work as such;

The elimination of charges against coal miners for use of bath houses and wash houses.

President Boyle's second contract came in 1966. It was a much more involved negotiation but as always the operators and coal miners eventually settled on an agreement that was mutually satisfactory.

The 1966 agreement now in effect, and reopenable this year, provided:

A \$1-a-day wage increase;
Eight paid holidays (an improvement of major proportion because previously coal miners had not received any pay for holidays unless they were worked);

A boost in vacation pay to ten times the daily rate paid the coal miner, plus the addition of any shift differentials and holiday pay due him;

Boosts in second and third shift differentials to 8 and 10 cents an hour additional pay, respectively (from previous differentials of 4 and 6 cents an hour);

Shift preference and improved seniority;
An improvement in the "helper" clause.

In the 1966 agreement continuous mining machine operators, inside electricians and inside mechanics got a \$1.32 a day wage boost (instead of \$1 a day) to bring their top wages to \$30 a day.

Basic wages in the bituminous coal industry went, under the 1966 agreement, from \$26.25 a day to \$27.25 a day and the top-rated men mentioned above got their wages boosted from \$28.68 a day to \$30 a day.

The 1966 agreement was to run for 30 months, from April 1, 1966, to September 30, 1968.

(President Boyle already has informally—but publicly—told the coal operators that he intends to negotiate a new agreement this year.)

Day-rate men were guaranteed, in the 1966 agreement, four hours of pay once they entered the coal mine. In the 1964 agreement they had been guaranteed only two hours of pay.

The 1966 agreement provides shift preference based on seniority in mines where shift rotation was not then practiced.

The revised seniority clause in the 1966 agreement retained the 1964 principle of mine-wide seniority but improved the clause by specifying that when a mine is abandoned or closed, the laid-off employee had the right to transfer to another mine of the same company in the same UMWA District before the company could hire any new men.

The boost in vacation pay has meant an average increase throughout the industry of \$55 on top of the \$225 paid in the 1964 contract.

The 1966 agreement provided, for the first time, on an industry-wide basis that UMWA Mine Safety Committeemen, would be compensated by the operator when they investigate mine explosions or disasters.

The 1966 agreement provided, for the first time in the history of the industry, that coal operators must furnish bathhouses or wash-up facilities without charge to the coal miners.

Little or nothing was overlooked in this meticulously worked out agreement. For example, the 1966 agreement provided that

companies must make bulletin boards or bulletin spaces available to the UMWA.

Coal miners, under the existing agreement, receive compensation from the operator for jury duty.

Important improvements were written into the "helper" clause, including the fact that the helper must receive the operator rate of pay when he operates the machine.

Two vacation schedules were set up in the 1966 agreement to start in 1967. This was written in to spread employment and to aid the coal industry keep operating so that all contract companies would not have to shut down their mines completely during the UMWA vacation period.

That's just part of a remarkable record for five years.

Is it enough?

Well, President Boyle is on record as saying that it isn't and that he intends to improve the agreement in this year's negotiations.

So once again, congratulations!

As always American coal miners can be proud of their President who has made it crystal clear during his first five years in office that he works night and day for the men who elected him to his important post.

—JUSTIN MCCARTHY.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate adjourn until 12 o'clock meridian on Monday next.

The motion was agreed to; and (at 3 o'clock and 38 minutes p.m.) the Senate adjourned until Monday, February 5, 1968, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 2, 1968:

DEPARTMENT OF STATE

Edward D. Re, of New York, to be an Assistant Secretary of State.

U.S. ADVISORY COMMISSION ON INFORMATION

The following named persons to be members of the U.S. Advisory Commission on Information for terms of 3 years expiring January 27, 1971, and until their successors are appointed and qualified:

Palmer Hoyt, of Colorado.

Morris S. Novik, of New York.

EXTENSIONS OF REMARKS

George Kennan

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 2, 1968

Mr. COHELAN. Mr. Speaker, in a wistful moment at the end of an article

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which appeared recently in the New York Times magazine, Mr. George Kennan observed:

How wonderful it would be if we and they—experience on the one hand, strength and enthusiasm on the other—could join forces.

Such is Mr. Kennan's lament after his review of the disaffection of today's younger generation.

Mr. Kennan ranges widely over the college scene, pausing to comment on the firmness with which convictions are held, the disaffection with the "system," and much of the rest which concerns collegiate society.

On the subject of young conviction, Mr. Kennan sagely notes:

It lies within the power as well as the duty of all of us to recognize not only the possi-

bility that we might be wrong but the virtual certainty that on some occasion we are bound to be.

I believe Mr. Kennan has contributed important insights and has articulated quite well some old thoughts on the problems of our young citizens.

And so, I commend Mr. Kennan's article to my colleagues, and insert the article in the RECORD at this point:

REBELS WITHOUT A PROGRAM

(By George F. Kennan)

There is an ideal that has long been basic to the learning process as we have known it, one that stands at the very center of our modern institutions of higher education and that had its origin, I suppose, in the clerical and monastic character of the medieval university. It is the ideal of the association of the process of learning with a certain remoteness from the contemporary scene—a certain detachment and seclusion, a certain voluntary withdrawal and renunciation of participation in contemporary life in the interests of the achievement of a better perspective on that life when the period of withdrawal is over. It is an ideal that does not predicate any total conflict between thought and action, but recognizes that there is a time for each.

No more striking, or moving, description of this ideal has ever come to my attention than that which was given by Woodrow Wilson in 1896 at the time of the Princeton Sesquicentennial.

"I have had sight," Wilson said, "of the perfect place of learning in my thought: a free place, and a various, where no man could be and not know with how great a destiny knowledge had come into the world—itsself a little world; but not perplexed, living with a singleness of aim not known without; the home of sagacious men, hardheaded and with a will to know, debaters of the world's questions every day and used to the rough ways of democracy; and yet a place removed—calm Science seated there, recluse, ascetic, like a nun; not knowing that the world passes, not caring, if the truth but come in answer to her prayer. . . . A place where ideals are kept in heart in an air they can breathe; but no fool's paradise. A place where to hear the truth about the past and hold debate about the affairs of the present, with knowledge and without passion; like the world in having all men's life at heart; a place for men and all that concerns them; but unlike the world in its self-possession, its thorough way of talk, its care to know more than the moment brings to light; slow to take excitement, its air pure and wholesome with a breath of faith; every eye within it bright in the clear day and quick to look toward heaven for the confirmation of its hope. Who shall show us the way to this place?"

There is a dreadful incongruity between this vision and the state of mind—and behavior—of the radical left on the American campus today. In place of a calm science, "recluse, ascetic, like a nun," not knowing or caring that the world passes "if the truth but come in answer to her prayer," we have people utterly absorbed in the affairs of this passing world. And instead of these affairs being discussed with knowledge and without passion, we find them treated with transports of passion and with a minimum, I fear, of knowledge. In place of slowness to take excitement, we have a readiness to react emotionally, and at once, to a great variety of issues. In place of self-possession, we have screaming tantrums and brawling in the streets. In place of the "thorough way of talk" that Wilson envisaged, we have banners and epithets and obscenities and virtually meaningless slogans. And in place of bright eyes "looking to heaven for the confirmation of their hope," we have eyes glazed

with anger and passion, too often dimmed as well by artificial abuse of the psychic structure that lies behind them, and looking almost everywhere else but to heaven for the satisfaction of their aspirations.

I quite understand that those who espouse this flagrant repudiation of the Wisconsin ideal constitute only a minority on any campus. But tendencies that represent the obsession of only a few may not be without partial appeal, at certain times, and within certain limits, to many others. If my own analysis is correct, there are a great many students who may resist any complete surrender to these tendencies, but who nevertheless find them intensely interesting, are to some extent attracted or morally bewildered by them, find themselves driven, in confrontation with them, either into various forms of pleasing temptation, on the one hand, or into crises of conscience on the other.

If I see them correctly (and I have no pretensions to authority on this subject), there are two dominant tendencies among the people I have here in mind, and superficially they would seem to be in conflict one with the other. On the one side there is angry militancy, full of hatred and intolerance and often quite prepared to embrace violence as a source of change. On the other side there is gentleness, passivity, quietism—ostensibly a yearning for detachment from the affairs of the world, not the detachment Woodrow Wilson had in mind, for that was one intimately and sternly related to the real world, the objective, external world, whereas this one takes the form of an attempt to escape into a world which is altogether illusory and subjective.

What strikes one first about the angry militancy is the extraordinary degree of certainty by which it is inspired: certainty of one's own rectitude, certainty of the correctness of one's own answers, certainty of the accuracy and profundity of one's own analysis of the problems of contemporary society, certainty as to the inequity of those who disagree. Of course, vehemence of feeling and a conviction that right is on one's side have seldom been absent from the feelings of politically excited youth. But somehow or other they seem particularly out of place at just this time. Never has there been an era when the problems of public policy even approached in their complexity those by which our society is confronted today, in this age of technical innovation and the explosion of knowledge. The understanding of these problems is something to which one could well give years of disciplined and restrained study, years of the scholar's detachment, years of readiness to reserve judgment while evidence is being accumulated. And this being so, one is struck to see such massive certainties already present in the minds of people who not only have not studied very much but presumably are not studying a great deal, because it is hard to imagine that the activities to which this aroused portion of our student population gives itself are ones readily compatible with quiet and successful study.

The world seems to be full, today, of embattled students. The public prints are seldom devoid of the record of their activities. Photographs of them may be seen daily: screaming, throwing stones, breaking windows, overturning cars, being beaten or dragged about by police and, in the case of those on other continents, burning libraries. That these people are embattled is unquestionable. That they are really students, I must be permitted to doubt. I have heard it freely confessed by members of the revolutionary student generation of Tsarist Russia that, proud as they were of the revolutionary exploits of their youth, they never really learned anything in their university years; they were too busy with politics. The fact of the matter is that the state of being enraged is simply incompatible with fruitful study. It implies a degree of existing emo-

tional and intellectual commitment which leaves little room for open-minded curiosity.

I am not saying that students should not be concerned, should not have views, should not question what goes on in the field of national policy and should not voice their questions about it. Some of us, who are older, share many of their misgivings, many of their impulses. Some of us have no less lively a sense of the dangers of the time, and are no happier than they are about a great many things that are now going on. But it lies within the power as well as the duty of all of us to recognize not only the possibility that we might be wrong but the virtual certainty that on some occasions we are bound to be. The fact that this is so does not absolve us from the duty of having views and putting them forward. But it does make it incumbent upon us to recognize the element of doubt that still surrounds the correctness of these views. And if we do that, we will not be able to lose ourselves in transports of moral indignation against those who are of opposite opinion and follow a different line; we will put our views forward only with a prayer for forgiveness for the event that we prove to be mistaken.

I am aware that inhibitions and restraints of this sort on the part of us older people would be attributed by many members of the student left to a sweeping corruption of our moral integrity. Life, they would hold, has impelled us to the making of compromises; and these compromises have destroyed the usefulness of our contribution. Crippled by our own cowardice, prisoners of the seamy adjustments we have made in order to be successfully a part of the American establishment, we are regarded as no longer capable of looking steadily into the strong clear light of truth.

In this, as in most of the reproaches with which our children shower us, there is of course an element of justification. There is a point somewhere along the way in most of our adult lives, admittedly, when enthusiasms flag, when idealism becomes tempered, when responsibility to others, and even affection for others compels greater attention to the mundane demands of private life. There is a point when we are even impelled to place the needs of children ahead of the dictates of a defiant idealism, and to devote ourselves, pusillanimously, if you will, to the support and rearing of these same children—precisely in order that at some future date they may have the privilege of turning upon us and despising us for the materialistic faint-heartedness that made their maturity possible. This, no doubt, is the nature of the compromise that millions of us make with the imperfections of government and society in our time. Many of us could wish that it might have been otherwise—that the idealistic pursuit of public causes might have remained our exclusive dedication down into later life.

But for the fact that this is not so I cannot shower myself or others with reproaches. I have seen more harm done in this world by those who tried to storm the bastions of society in the name of utopian beliefs, who were determined to achieve the elimination of all evil and the realization of the millennium within their own time, than by all the humble efforts of those who have tried to create a little order and civility and affection within their own intimate entourage, even at the cost of tolerating a great deal of evil in the public domain. Behind this modesty, after all, there has been the recognition of a vitally important truth—a truth that the Marxists, among others, have never brought themselves to recognize; namely, that the decisive seat of evil in this world is not in social and political institutions, and not even, as a rule, in the ill will or inequities of statesmen, but simply in the weakness and imperfection of the human soul itself, and by that I mean literally every soul, including my own and that of the

student militant at the gates. For this reason, as Tocqueville so clearly perceived when he visited this country 130 years ago, the success of a society may be said, like charity, to begin at home.

So much, then, for the angry ones. Now, a word about the others: the quiescent ones, the hippies and the flower people.

In one sense, my feeling for these people is one of pity, not unmixed, in some instances, with horror. I am sure that they want none of this pity. They would feel that it comes to them for the wrong reasons. If they feel sorry for themselves, it is because they see themselves as the victims of a harsh, hypocritical and unworthy adult society. If I feel sorry for them, it is because I see them as the victims of certain great and destructive philosophic errors.

One of these errors—and it is one that affects particularly those who take drugs, but not those alone—is the belief that the human being has marvelous resources within himself that can be released and made available to him merely by the passive submission to certain sorts of stimuli: by letting esthetic impressions of one sort or another roll over him or by letting his psychic equilibrium be disoriented by chemical agencies that give him the sensation of experiencing tremendous things. Well, it is true that human beings sometimes have marvelous resources within themselves. It is also true that these resources are capable, ideally, of being released and made available to the man that harbors them and through him to others, and sometimes are so released. But it is not true that they can be released by hippie means.

It is only through effort, through doing, through action—never through passive experience—that man grows creatively. It is only by volition and effort that he becomes fully aware of what he has in him of creativity and becomes capable of embodying it, of making it a part of himself, of communicating it to others. There is no pose more fraudulent—and students would do well to remember this when they look at each other—than that of the individual who pretends to have been exalted and rendered more impressive by his communion with some sort of inner voice whose revelations he is unable to describe or to enact. And particularly is this pose fraudulent when the means he has chosen to render himself susceptible to this alleged revelation is the deliberate disorientation of his own psychic system; for it may be said with surety that any artificial intervention of this sort—into the infinitely delicate balance that nature created in the form of man's psychic make-up—produces its own revenge, takes its own toll, proceeds at the cost of the true creative faculties and weakens rather than strengthens.

The second error I see in the outlook of these people is the belief in the possibility and validity of a total personal permissiveness. They are misjudging, here, the innermost nature of man's estate. There is not, and cannot be, such a thing as total freedom. The normal needs and frailties of the body, not to mention the elementary demands of the soul itself, would rule that out if nothing else did. But beyond that, any freedom from something implies a freedom to something. And because our reality is a complex one, in which conflicts of values are never absent, there can be no advance toward any particular objective, not even the pursuit of pleasure, that does not imply the sacrifice of other possible objectives. Freedom, for this reason, is definable only in terms of the obligations and restraints and sacrifices it accepts. It exists, as a concept, only in relationship to something else which is by definition its opposite; and that means commitment, duty, self-restraint.

Every great artist has known this. Every great philosopher has recognized it. It has

lain at the basis of Judaic-Christian teaching. Tell me what framework of discipline you are prepared to accept, and I will attempt to tell you what freedom might mean for you. But if you tell me that you are prepared to accept no framework of discipline at all, then I will tell you, as Dostoevski told his readers, that you are destined to become the most unfree of men; for freedom begins only with the humble acceptance of membership in, and subordination to, a natural order of things, and it grows only with struggle, and self-discipline, and faith.

To shun the cruelty and corruption of this world is one thing. It is not always unjustifiable. Not everyone is made to endure these things. There is something to be said for the cultivation, by the right people, and in the right way, of the virtues of detachment, of withdrawal, of unworldliness, of innocence and purity, if you will. That, as a phase of life, is just what Wilson was talking about. In an earlier age, those who are now the flower children and the hippies would perhaps have entered monastic life or scholarly life or both. But there, be it noted, they would very definitely have accepted a framework of discipline, and it would normally have been a very strict one. If it was a monastic order, their lives would have been devoted to the service of God and of other men, not of themselves and their senses. If it was the world of scholarship, their lives would have been devoted to the pursuit of truth, which never comes easily or without discipline and sacrifice. They would have accepted an obligation to cultivate order, not chaos; cleanliness, not filth; self-abnegation, not self-indulgence; health, not demoralization.

Now I have indicated that I pity these people, and in general I do. But sometimes I find it hard to pity them, because they themselves are sometimes so pitiless. There is, in this cultivation of an absolute freedom, and above all in the very self-destructiveness with which it often expresses itself, a selfishness, a hardheartedness, a callousness, an irresponsibility, an indifference to the feelings of others, that is its own condemnation. No one ever destroys just himself alone. Such is the network of intimacy in which every one of us is somehow embraced, that whoever destroys himself destroys to some extent others as well. Many of these people prattle about the principle of love; but their behavior betrays this principle in the most elementary way. Love—and by that I mean the receiving of love as well as the bestowal of it—is itself an obligation, and as such is incompatible with the quest for a perfect freedom. Just the cruelty to parents alone, which is implicit in much of this behavior, is destructive of the purest and most creative form of love that does exist or could exist in this mortal state.

And one would like to warn these young people that in distancing themselves so recklessly not only from the wisdom but from the feelings of parents, they are hacking at their own underpinnings—and even those of people as yet unborn. There could be no greater illusion than the belief that one can treat one's parents unfeelingly and with contempt and yet expect that one's own children will some day treat one otherwise; for such people break the golden chain of affection that binds the generations and gives continuity and meaning to life.

One cannot, therefore, on looking at these young people in all the glory of their defiant rags and hairdos, always just say, with tears in one's eyes: "There goes a tragically wayward youth, striving romantically to document his rebellion against the hypocrisies of the age." One has sometimes to say, and not without indignation: "There goes a perverted and willful and stony-hearted youth by whose destructiveness we are all, in the end, to be damaged and diminished."

These people also pose a problem in the

quality of their citizenship. One thing they all seem to have in common—the angry ones as well as the quiet ones—is a complete rejection of, or indifference to, the political system of this country. The quiet ones turn their backs upon it, as though it did not concern them. The angry ones reject it by implication, insofar as they refuse to recognize the validity of its workings or to respect the discipline which, as a system of authority, it unavoidably entails.

I think there is a real error or misunderstanding here. If you accept a democratic system, this means that you are prepared to put up with those of its workings, legislative or administrative, with which you do not agree as well as with those that meet with your concurrence. This willingness to accept, in principle, the workings of a system based on the will of the majority, even when you yourself are in the minority, is simply the essence of democracy. Without it there could be no system of representative self-government at all. When you attempt to alter the workings of the system by means of violence or civil disobedience, this, it seems to me, can have only one of two implications: either you do not believe in democracy at all and consider that society ought to be governed by enlightened minorities such as the one to which you, of course, belong; or you consider that the present system is so imperfect that it is not truly representative, that it no longer serves adequately as a vehicle for the will of the majority, and that this leaves to the unsatisfied no adequate means of self-expression other than the primitive one of calling attention to themselves and their emotions by mass demonstrations and mass defiance of established authority. It is surely the latter of these two implications which we must read from the overwhelming majority of the demonstrations that have recently taken place.

I would submit that if you find a system inadequate, it is not enough simply to demonstrate indignation and anger over individual workings of it, such as the persistence of the Vietnam war, or individual situations it tolerates or fails to correct, such as the condition of the Negroes in our great cities. If one finds these conditions intolerable, and if one considers that they reflect no adequate expression either of the will of the majority or of that respect for the rights of minorities which is no less essential to the success of any democratic system, then one places upon one's self, it seems to me, the obligation of saying in what way this political system should be modified, or what should be established in the place of it, to assure that its workings would bear a better relationship to people's needs and people's feelings.

If the student left had a program of constitutional amendment or political reform—if it had proposals for the constructive adaptation of this political system to the needs of our age—if it was this that it was agitating for, and if its agitation took the form of reasoned argument and discussion, or even peaceful demonstration accompanied by reasoned argument and discussion—then many of us, I am sure, could view its protests with respect, and we would not shirk the obligation, either to speak up in defense of institutions and national practices which we have tolerated all our lives, or to join these young people in the quest for better ones.

But when we are confronted only with violence for violence's sake, and with attempts to frighten or intimidate an administration into doing things for which it can itself see neither the rationale nor the electoral mandate; when we are offered, as the only argument for change, the fact that a number of people are themselves very angry and excited; and when we are presented with a violent objection to what exists, unaccompanied by any constructive concept of what, ideally, ought to exist in its place—

then we of my generation can only recognize that such behavior bears a disconcerting resemblance to phenomena we have witnessed within our own time in the origins of totalitarianism in other countries, and then we have no choice but to rally to the defense of a public authority with which we may not be in agreement but which is the only one we've got and with which, in some form or another, we cannot conceivably dispense. People should bear in mind that if this—namely noise, violence and lawlessness—is the way they are going to put their case, then many of us who are no happier than they are about some of the policies that arouse their indignation will have no choice but to place ourselves on the other side of the barricades.

These observations reflect a serious doubt whether civil disobedience has any place in a democratic society. But there is one objection I know will be offered to this view. Some people, who accept our political system, believe that they have a right to disregard it and to violate the laws that have flowed from it so long as they are prepared, as a matter of conscience, to accept the penalties established for such behavior.

I am sorry; I cannot agree. The violation of law is not, in the moral and philosophic sense, a privilege that lies offered for sale with a given price tag, like an object in a supermarket, available to anyone who has the price and is willing to pay for it. It is not like the privilege of breaking crockery in a tent at the county fair for a quarter a shot. Respect for the law is not an obligation which is exhausted or obliterated by willingness to accept the penalty for breaking it.

To hold otherwise would be to place the privilege of lawbreaking preferentially in the hands of the affluent, to make respect for law a commercial proposition rather than a civic

duty and to deny any authority of law independent of the sanctions established against its violation. It would then be all right for a man to create false fire alarms or frivolously to pull the emergency cord on the train, or to do any number of other things that endangered or inconvenienced other people, provided only he was prepared to accept the penalties of so doing. Surely, lawlessness and civil disobedience cannot be condoned or tolerated on this ground; and those of us who care for the good order of society have no choice but to resist attempts at its violation, when this is their only justification.

Now, being myself a father, I am only too well aware that people of my generation cannot absolve ourselves of a heavy responsibility for the state of mind in which these young people find themselves. We are obliged to recognize here, in the myopia and the crudities of their extremism, the reflection of our own failings: our smugness, our timidity, our faintheartedness and in some instances our weariness, our apathy in the face of great and obvious evils.

I am also aware that, while their methods may not be the right ones, and while their discontent may suffer in its effectiveness from the concentration on negative goals, the degree of their concern over the present state of our country and the dangers implicit in certain of its involvements is by no means exaggerated. This is a time in our national life more serious, more menacing, more crucial, than any I have ever experienced or ever hoped to experience. Not since the civil conflict of a century ago has this country, as I see it, been in such great danger; and the most excruciating aspect of this tragic state of affairs is that so much of this danger comes so largely from within, where we are giving it relatively little official attention,

and so little of it comes, relatively speaking, from the swamps and jungles of Southeast Asia into which we are pouring our treasure of young blood and physical resources.

For these reasons, I do not mean to make light of the intensity of feeling by which this student left is seized. Nor do I mean to imply that people like myself can view this discontent from some sort of smug Olympian detachment, as though it were not our responsibility, as though it were not in part our own ugly and decadent face that we see in this distorted mirror. None of us could have any justification for attempting to enter into communication with these people if we did not recognize, along with the justification for their unhappiness, our own responsibility in the creation of it, and if we did not accompany our appeal to them with a profession of readiness to join them, where they want us to, in the attempt to find better answers to many of these problems.

I am well aware that in approaching them in this way and in taking issue as I have with elements of their outlook and their behavior, it is primarily myself that I have committed, not them. I know that behind all the extremisms—all the philosophical errors, all the egotisticities and all the oddities of dress and deportment—we have to do here with troubled and often pathetically appealing people, acting, however wisely or unwisely, out of sincerity and idealism, out of the unwillingness to accept a meaningless life and a purposeless society.

Well, this is not the life, and not the sort of society, that many of us would like to leave behind us in this country when our work is done. How wonderful it would be, I sometimes think to myself, if we and they—experience on the one hand, strength and enthusiasm on the other—could join forces.

HOUSE OF REPRESENTATIVES—Monday, February 5, 1968

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is gracious and full of compassion; slow to anger and of great mercy.—Psalm 145: 8.

O Lord, our Heavenly Father, by whose mercy we have come to the beginning of another week, grant that we may enter it with humble and contrite hearts. Confirm our purpose to walk more sincerely in Thy way and to work more surely in Thy service.

Let not the mistakes of the past master us but forgive and set us free. Lead us into a closer companionship with Thee that we may continue to walk in the ways of honesty, truth, and good will. Give us the confidence that strengthens, the faith that breeds courage, and the integrity of mind that holds us steady amid the pressures of this time.

Lay Thy hand in blessing upon each one of us. Make us worthy of this day, adequate for our tasks, and ready to lead our Nation into the paths of peace. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 1, 1968, was read and approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated

to the Senate by Mr. Jones, one of his secretaries, and he announced that on February 3, 1968, the President had approved and signed the act (S. 306) to increase the amounts authorized for Indian adult vocational education.

A COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON BANKING AND CURRENCY

The SPEAKER laid before the House the following communication from the chairman of the Committee on Banking and Currency:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING AND CURRENCY,
Washington, D.C., February 5, 1968.

HON. JOHN W. MCCORMACK,
The Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: As you know, pursuant to section 712(a) (2) of the Defense Production Act of 1950 (title 50, Appendix, United States Code, sec. 2162 (a) (2)), it is the duty of the Chairman of the Committee on Banking and Currency to suggest five members of the committee to be members of the Joint Committee on Defense Production. This section also provides that a vacancy in the membership of the Joint Committee on Defense Production shall be filled in the same manner as the original selection.

A vacancy in the membership of the Joint Committee on Defense Production resulted from the resignation of Congressman Abraham J. Multer effective as of midnight, December 31, 1967 (page 7, CONGRESSIONAL RECORD, January 15, 1968).

It is suggested that Congresswoman Leonor K. Sullivan, a member of the Committee on

Banking and Currency of the House of Representatives, be appointed to fill the vacancy in membership on the Joint Committee on Defense Production. I sincerely hope that this recommendation meets with your approval.

With kindest regards and best wishes, I am
Sincerely,

WRIGHT PATMAN,
Chairman.

CREDIBILITY

MR. BRINKLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

MR. BRINKLEY. Mr. Speaker, the American people have been assured that the U.S.S. *Pueblo* was taken in international waters beyond both the 3-mile limit and the 12-mile limit; these assurances have ranged from news releases to high-level congressional briefings.

I am shocked to now hear from those same sources that the U.S.S. *Pueblo* may have been within the 12-mile limit.

Mr. Speaker, there are three things potentially worse than not getting our men and our ship back. The first is being in the right and playing the coward; the second is being in the wrong and not admitting it; the third is erring in the first instance in either of these two things.

The measurement goes to our moral fiber.